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COBBETT'S
LEGACY
TO LABOURERS.



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A

LEGACY TO LABOURERS;

AN ARGUMENT, SHOWING THE RIGHT OF THE POOR TO RELIEF
FROM THE LAND; ALSO AN ENQUIRY AS TO WHAT IS THE
RIGHT OF THE LORDS, BARONETS, AND SQUIRES TO THE
OWNERSHIP OF THE LANDS OF ENGLAND: IN SIX
LETTERS, ADDRESSED TO THE WORKING
PEOPLE OF ENGLAND.



With a Dedication to Sir Robert Peel, Bart.

By WILLIAM COBBETT, M.P.
FOR OLDHAM.

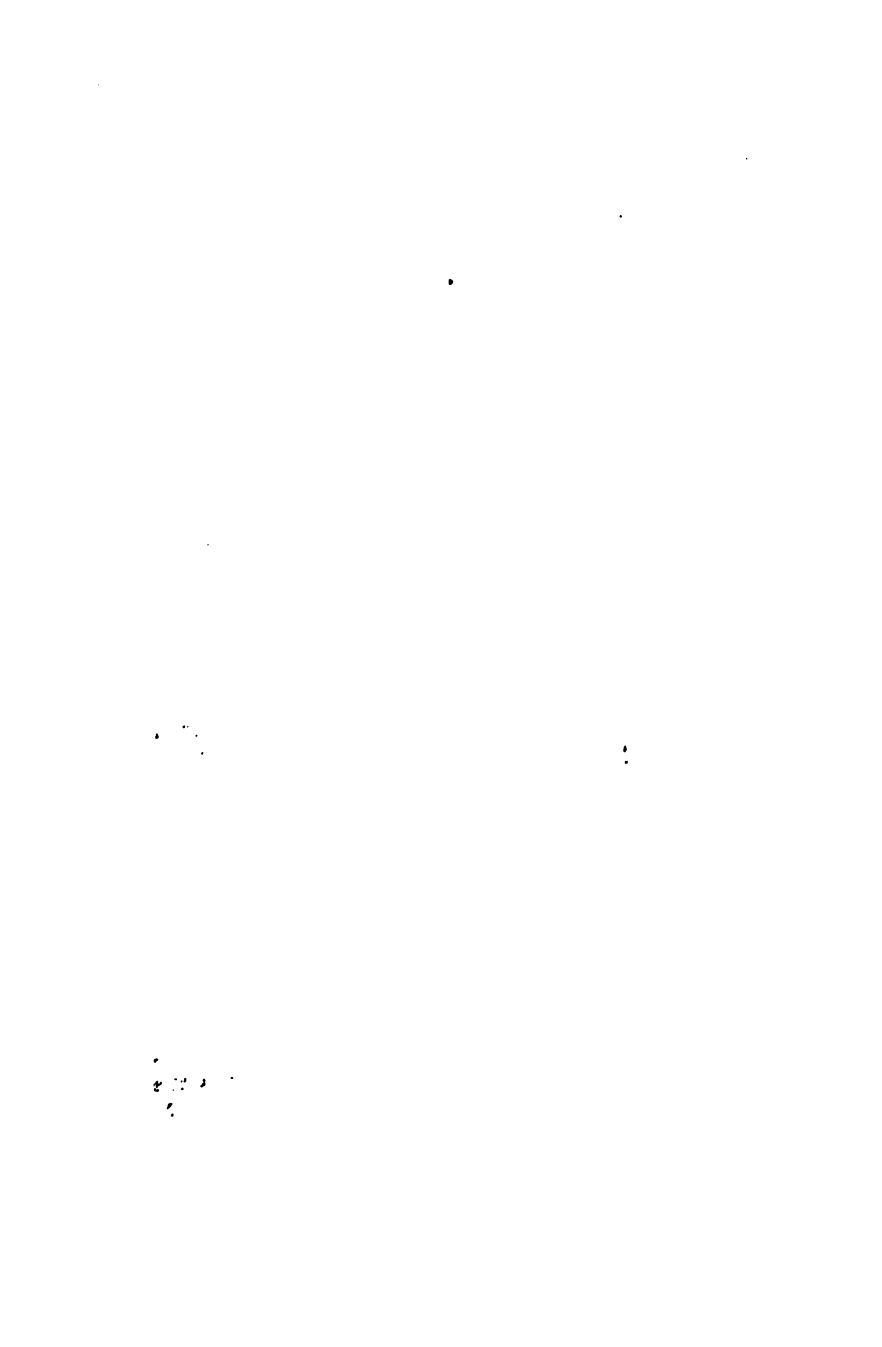
"A due care for the relief of the poor is an act of great civil prudence and political wisdom: for poverty in itself is apt to emasculate the minds of men, or, at least, it makes men tumultuous and unquiet. Where there are many very poor, the rich cannot long or safely continue such."—SIR MATTHEW HALE, *Tract touching Provision for the Poor. Preface.* 1683.

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LONDON:
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STATIONERS' HALL COURT.

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DEDICATION.

TO SIR ROBERT PEEL, BARONET.

Wolseley Hall, 10 Dec., 1834.

SIR,

DEDICATIONS are, generally, things of a very unmeaning character. Whatever this may be in other respects, it shall not be without a meaning: it shall state to you, without flattery and without rudeness; FIRST, my reasons for writing and publishing this book; and, SECOND, my reasons for dedicating it to you.

My reasons for writing and publishing this book are these: it has always been my wish, that the institutions of England and her fundamental laws should remain *unchanged*. Not that I was unable to discover, in the order of nobility, and the circumstances connected with that order; in the distribution of the immense property of the church; in some other really properly called *institutions* of the country, things which I could have wished to be otherwise, than to be as they were: but there was so much of good in the institutions which we inherited from our fathers, that I always looked at any change in them with

great apprehension. But, with regard to the *innovations* on those institutions: with regard to the monstrous encroachments of the aristocracy and of the usurers, within the last fifty years especially, it was impossible for me not to wish for a change, and as impossible for me not to resolve on assisting in effecting that change, if it were to be effected. It was impossible for me to look at the new treason laws, new felony laws, Bourbon-police laws, laws violating the compact between the people and the clergy, new and multiplied laws hostile to the freedom of the press, hundreds of acts of parliament, subjecting men's persons and property to be disposed of, to a certain extent, without trial by jury; the monstrous partiality in taxation; a standing army in time of peace, greater than was ever before needed in time of war: new crimes in abundance, created by act of parliament; new punishments for old crimes; employment of spies justified in the House of Parliament; or, at least, no punishment inflicted on any one for being a spy, or for having employed spies.

It was impossible for me to behold these things; to hold a pen at the same time, and to know that a good many of my countrymen were ready to read what I wrote; it was impossible for me to be thus situated, and not exert myself in an endeavour to put a stop to these encroachments, and to bring my country back to something like the government which existed when I was born: to put a stop to the Bourbon innovations, and to bring England back again to English government.

I was in hopes that the "*Reformed Parliament*" would, at once, have set to work to sweep away these innovations. Not only did it not do this, but it set itself to work to add to them in number, and to enlarge those that already existed. I pass over twenty instances of this, and come to that great and terrible innovation, the POOR-LAW BILL. Long before I was in Parliament, I saw the deep-laid scheme gradually preparing for execution. When it was matured and brought before us, I opposed it with all my might. I did every thing that I could do to prevent it from being passed.

In this case how stood the matter? There was a proposition to abrogate (though not by name), in effect, those rights of the poor which had always existed, since England had been called England; which rights had been so solemnly recognised by the Act of the 43rd of ELIZABETH; which act had existed upwards of two hundred years, and which had seen, during its existence, the most orderly, the most independent, yet the most obedient; the best fed and the best clad, and, at the same time, the most industrious, and most adroit working people that ever lived upon the face of the earth; being, along with these qualities, the best parents, the best children, the most faithful servants, the most respectful in their demeanour towards superiors, that ever formed a part of any civil community.

And, sir, what was THE GROUND stated for abrogating this law; for uprooting the old and amiable parochial governments of England? What was the ground stated for the doing of this thing; for the

sweeping away of this government, carried on by neighbours for their mutual good and happiness; what was the ground stated for the tearing to pieces of this family government, and subjecting thirteen thousand parishes to the absolute will of three Commissioners, stuck up in London by the servants of the king, and removable at their pleasure? Why, the grounds were as follow, as stated by the Lord Chancellor, who was backed by Lord RADNOR and by the Duke of WELLINGTON, and a majority of the two Houses, you, sir, being in the majority of one of those Houses.

There were many pretences urged; many assertions made; but the main ground, which, like the rod of AARON, devoured all the rest, was, that, *if this Bill were not passed the poor-rates would soon swallow up the estates of the lords and the gentlemen*; and that it was necessary to be passed, in order to *save their estates*; for that, unless it were passed, there was no *security for property*.

Often as I have disproved these assertions; often as I have shown that the increased amount of poor-rates has not been so great, nor any thing like so great, as the increased amount of rent and taxes: often as I have shown that the inevitable tendency of the Bill is, to bring down the farmers and labourers of England to the state of those in Ireland; often as I have shown these things, I must show them again here; because I intend this little book to go into every parish in this whole kingdom; and to be in all the industrious classes (who alone give strength to the country, and who furnish the rich with all their riches), the YOUNG

MAN'S BEST, MOST USEFUL AND MOST FAITHFUL COMPANION.

With regard to the increase of the poor-rates, and their capacity of *swallowing up estates* ; this charge against the working people of England is, as I am about to show, as false as that of the filthy Elders against SUSANNAH ; or, which is more a case in point, as false as the charge of the she-devil JEZEBEL against NABOTH. The poor-rates, by all the liars of the poor-law scheme, are made to amount to upwards of *eight millions* a year ; but the return laid before us in Parliament has that much honesty in it to take off two millions and more, and ascribe them to other heads of local expenditure, stating to us that the sum expended *on account* of the poor, amounts to six millions seven hundred thousand pounds a year. From this we are to deduct what is laid out on *law*, on *hired overseers* ; on things invented for the purpose of *punishing* the poor ; and, besides these, there are the sums expended on account of "*Irish and Scotch vagrants* ;" so that, even these expenses, which arise out of a want of efficient poor-laws in Scotland, and out of a want of any poor-laws in Ireland, are laid to the charge of the slandered working people of England ! As much pains as possible are taken to confuse these accounts ; but I venture to say, that, if the House of Commons do its duty and get to the bottom of this matter, it will be found that not more than four millions out of the eight millions of pounds, are *actually received by the poor* ; and that a very considerable part of that is required to maintain the wives and children of men imprisoned or transported,

for the sole purpose of securing the enjoyment of the *pleasures of the rich*; that is to say, for killing, or being in pursuit of, those wild animals, which, as I shall have to show in the course of this book, the law of nature, the laws of God, and the fundamental laws of England, declare to be the *common property of all mankind*.

But, taking the matter upon the showing of these confused, unsatisfactory, and really false accounts, recently presented to us; taking it to be true that the poor cost six millions seven hundred thousand pounds a year; taking it to be true that these accounts are correct, are we to suppose that the poor-rates were to be stationary, while *rents* and *taxes* were augmented ten or twenty fold? I might mention the *increase of population*, if I had a mind to avail myself of it; but knowing that to be a prodigious national lie; knowing that England and Wales were, fifty years ago, upon the whole, more populous than they are now, or, at least, fully as populous, I leave that lie for the use of the "Society of Useful Knowledge"; and confine myself to *rents* and *taxes*. With regard to *rents*, it is notorious that they are twice as high as they were forty-four years ago; and, pray, why are not the poor-rates to increase in the same proportion? Why should not the poor be more costly, as the landlords' income has become greater? But, it is the *taxes* that make the curious exhibition when compared with the poor-rates. The following figures, stating the amount of the rates, in the reign of JAMES the Second; in the year 1776; in the year 1789; and in the year 1838, ought to be familiar to

every man who takes upon himself the office of being an adviser of the king. I will waive all that I have said about the falsehood of the statement of expenses imputed to the poor, and will suppose the poor to have cost last year six millions seven hundred thousand pounds ; and then the comparative statement of poor-rates and taxes will stand as follows ; I just observing here, that, as to the *government taxes*, the statement here includes the taxes of the *three kingdoms*, I being unable to separate them by the means of any documents that I possess. Five-sixths of the whole are, indeed, raised in England and Wales ; but this is no matter with regard to my present purpose, the proportion being as true as if the amount paid by each of the kingdoms could be ascertained. Thus, then, stands the matter.

	POOR RATES.	GOVT. TAXES.
	£	£
Reign of James II.	160,000	1,300,000
1776	1,496,906	8,000,000
1789	2,250,000	16,000,000
1833	6,700,000	52,000,000

Ought not the insolent calumniators of the industrious classes of England to blush at the sight of this ? Ought not these impudent and unfeeling men to think a little of the consequences of their thus wantonly calumniating this laborious people, and calling them "idle and sturdy vagabonds" ? Must it not be evident to every one, without going into particular instances or illustrations, that the increase of poor-rates has arisen from the increase of rents

and the increase of taxes ; and not at all from any defect in the poor-laws, nor from any defect in their administration by overseers and magistrates ? How comes it that they never produced all this mass of evil attributed to them, in the course of two hundred years ? And how comes it that they produce no such evils now, in the untaxed United States of America ?

It is true, that the nation is burdened, even to the breaking of it down : it is true that the farmers are ruined by prices equal to the prices of forty years ago ; but, are they ruined by the six millions (allowing it to be the six millions) ; or, are they ruined by the fifty-two millions ? It is also true that a very large part, and the greater part, of landlords are upon the point of utter ruin ; but have they been ruined by the six millions, or by the fifty-two millions ? Have they been ruined by the poor-rates ; or by the expense of the standing army in time of peace ; by the pensions, sinecures, grants and allowances, half-pay, amounting altogether to between six and seven millions a year ; and by the thirty millions a year paid to the usurers, more than doubled in real amount by the passing of your bill ?

Monstrous ! Stupendous stock of impudence, even in a half-drunk mountebank, to pretend, that the ruin has arisen from the working people ! It has been established for fact, that a hundred and thirteen of your brother privy-councillors, not including bishops or royal family, swallow up *six hundred and fifty thousand pounds a year* out of the taxes ; a sum equal to the aggregate amount of the poor-rates of

Bedfordshire, Berkshire, Buckinghamshire, Huntingdonshire, Cumberland, Monmouthshire, Rutlandshire, Westmoreland, and another county or two into the bargain ! Yet this is nothing : this is no swallowing up ! We vote every year a sum of money to be sent to Hanover, to be given to half-pay officers and their widows and children there, equal to the poor-rates of Cumberland and Westmoreland ! There were grants *to augment the livings of the clergy in England*, to the amount of the poor-rates for one year of ten counties in England, standing the first on the alphabetical list. We have just voted, to be given to lords, baronets, and 'squires, to induce them to free their slaves in the West Indies, as much money as would keep the poor of England and Wales for *five years* ! All these are not "*swallowings up*," I suppose ; but the working people know that they are *swallowings up* ; and that they themselves are compelled to pay the far greater part of these sums out of the fruits of their labour.

One's blood boils at the bare statement of these undeniable facts. But this is not doing half justice to the working part of the community. The amount of the poor-rates ; the amount of what the poor receive in case of necessity, is swelled up and trumpeted about all over the kingdom. The atrocious lie of EIGHT MILLIONS is as current in Ireland, as if communicated by a king's proclamation. But, while this atrocious lie is trumpeted about, great care is taken not to say a word about *what the working people pay* ! Yet how large a part of the fifty-two millions, how very large a part do *they pay*, out of the fruit of

their labour! Their *drink*, raised by their own hands, in their own country, pays a tax of *two hundred per cent.*; while the drink of the rich, produced in other countries, pays a tax of only *twenty per cent.*! The malt tax alone, to say nothing of the hop-tax, costs, including the monopoly arising out of the tax, not less than twelve millions a year, falling upon the shoulders of the working people alone, and on those of tradesmen and farmers. A drunken mountebank would have them use "COARSER FOOD," and, perhaps, drink water. I know one mountebank, well loaded with public money, who says that beer is "*a luxury, and not a necessary of life.*" This queer mountebank seems to forget, that, if there were no beer, there could be no malt-tax, and that then there would be nothing to pay his pensions and his jobbings with! The working people pay the far greater part of the taxes out of their wages, and the beastly Malthusian philosophers would take away the wages, and yet have the taxes! Ah, sir! it is a puzzler! It really does seem as if the *expunging* of my RESOLUTION against you was not the last piece of expunging which we were destined to behold.

So much, sir, for the swallowing up of estates by the poor-rates. But, the minister told us, and so told us my Lord RADNOR, that the bill was wanted to *relieve the farmer*, and that the farmers and tradesmen were *very anxious to have the bill passed!* It is very curious that none of these petitioned for the bill, while, as you well know, thousands of them petitioned against it. This is curious enough, to begin *with.* But, if we had had time given us before we

had passed the bill in our house, we should have found evidence of the following facts :

1. That the poor-law commissioners sent a circular into all the counties of England and Wales, addressed to lords, baronets, 'squires, parsons, overseers, and great farmers, whom they *selected*, as persons likely to suit their purpose.
2. That this circular contained the following two questions: FIRST, "Has agricultural capital "increased, or diminished, in your neighbourhood?" Second, "Do you attribute such "increase or diminution to any cause connected with the poor-laws, or their mal-administration?"
3. That these questions were addressed to 1717 persons; and that out of these, there were only SEVEN who did not say, that the agricultural capital *had diminished*.
4. But that, out of the 1717, *four hundred and one* said, that the cause *was not at all connected with the poor-laws*, or the administration of them, *eleven hundred and twenty-nine* assigned *other causes*, wholly unconnected with the poor-laws, for the decrease of agricultural capital, while only *a hundred and fifty-nine*, out of the 1717, had the hardihood to say, that the poor-laws, or their administration, *had been the cause of the decrease*; and, even of these hundred and fifty-nine, fourteen were *anonymous*, and one was MAJENDIE, the poor-law runner; and one of the anonymous was certified to be good by BLOMFIELD, Bishop of

London, one of the poor-law commissioners; and further, that, amongst the *seventeen hundred and ten* who said that the agricultural capital had decreased, but that the decrease was not at all to be ascribed to the poor-laws or their administration, was my Lord RADNOR himself; though this very lord supported this bill on the ground that it was wanted *to relieve the farmer.*

5. That a great number of the persons who answered these questions, particularly farmers, said that the poor-rates were *no burden to the farmer*; for that, if they did not pay the money in rates to the poor, they must pay the same amount in *additional rents* to the landlord.
6. That, from the parish of BROADWAY, in Worcestershire, the enlightened Bishops of London and Chester, and those paragons of light STURGES BOURNE, SENIOR, COULSTON, and BISHOP, and penny-a-line CHADWICK; from the parish of BROADWAY, in Worcestershire, these men got the following answer: "Agricultural capital *is diminishing*; but not on account of the poor-laws, which rather *tend to keep capital in the parish*; but because the great landowners spend less in the parish, by carrying the great bulk of their incomes annually to London, where it accumulates in the hands of usurers, stock-jobbers, and the like, and consequently does not return to the parish."

Now, sir, how came we, of the House of Com-

mons, to pass the bill with this evidence even of these poor-law fellows before us ? Was it not a shame for us to read this bill a second time, having this evidence before us ? It is but justice to those who supported this to put upon record the fact, that the bill had gone through the committee, *before the whole of this evidence was delivered to any of us !* The majority of the House were committed by their votes long before they could possibly see this evidence ! And let my Lord ALTHORP, who is now a peer, take into his hands all the credit due to this transaction, and parcel it out in due proportions amongst himself and his colleagues.

Thus far we discover no *real ground* for the passing of this bill. We see that the *amount* of the poor-rates could not possibly be believed to be calculated to swallow up the estates ; we see that, if the work-house dress, and separating of husband from wife, and children from parents ; we see that this PARSON LOWE system, so highly eulogized by Lord RADNOR, though a man had been condemned to death at NOTTINGHAM, for having fired PARSON LOWE'S stacks in revenge for being compelled to submit to his system ; we see that even the complete success of this system, which COWELL, the poor-law runner tells us that this "*excellent clergyman*" adopted for the purpose of rendering "the obtaining of relief as *irksome* as possible" ; we see that even this horrible system, though it should be attended with complete success, could not have "*spared the estates*" to a greater amount than about four millions a year. We see that the farmers shuddered at the thought of the *new poor-law project*, which they all said could do them no

good; and the petitions told us that the great towns held it in abhorrence. We see, then, that the ground, the *alleged ground*, for the passing of this bill, could not be the *real ground*; or, if it were, that it was the fruit of foolishness; pure fool-like meddling and projecting.

To the Searcher of hearts only can men's motives be known, except by confession, or by collateral or circumstantial evidence. I will, therefore, not attempt to assert what were the motives of the projectors and pushers-on of this bill; or the motives from which it was supported by the Duke of WELINGTON, by Lord RADNOR, by you, and other great landlords. I should not think it just to impute motives which I cannot substantiate by proof. I will say, therefore, nothing about the *motives* to the projecting and pushing on of this measure; but I will say plenty about the *natural and inevitable tendency of the measure*; first, however, stating a circumstance to the truth of which there is a whole House of Commons full of witnesses, and which is as follows:

1. That, during my opposition to the bill, I positively asserted, that printed instructions were given to the barrister who drew the bill; that these instructions told him that it was intended to erect about *two hundred workhouses* for the whole of England and Wales; that they also told him, that one thing desirable to be accomplished was, to bring the people of England to live upon a *coarser sort of diet*.
2. That I moved for the laying of these instructions upon the table of the House; and that

the minister and his majority rejected the motion.

3. That neither Lord ALTHORP, nor any other man in the House, said one single word *in contradiction to my statement.*

A change of circumstances now enables me to say, that I had SEEN the instructions.

Now, then, as to the TENDENCY of the bill, if it were put into execution; in the first place, it gives the landlords, and especially the great landlords, all the real power in every vestry in the kingdom. The bill continues that Act of STURGES BOURNE, which destroyed the old English law; that law which gave *one vote and no more* in the vestry to every rate-payer. It retains this Act of STURGES BOURNE, which gave *one vote for every fifty-pound rate*, as far as *six votes* to some men, while others had only one. The new bill retains this Act; and, then, in the case of a farm of 300*l.* a year, for instance, it gives only *one vote* to the tenant, and *six votes* to the landlord; and then it authorizes the landlord to vote by *proxy*; that is, to send his agent, or attorney, or footman, or groom, or shoeblack, or scullion, to vote for him, while he himself keeps out of sight, and is, perhaps, spending his rents in France or Italy. Devil take the farmers for stupid dolts, if my Lord RADNOR does not make them perceive, that this bill was intended for THEIR benefit! They must, indeed, be of the earth earthy, if they do not see that my Lord RADNOR, and his Scotch friend; his "*old friend and fellow-labourer,*" as the gentleman of the BIRD'S NEST called himself; *doltish devils*, indeed; dull as the clods of their

own fields; sappy as the "rank weed that rots on LETHE'S wharf," not to perceive that this bill was intended to enhance THEIR interest and respectability.

Well, sir, let us leave these stupid fellows, then, whom my Lord RADNOR wished to benefit, by taking the collection and distribution of their money out of their own hands, and giving them to the landlords themselves (kind gentlemen!), in conjunction with FRANKLAND LEWIS, LEFEVRE, NICHOLL, with penny-a-line Chadwick for their secretary, and with a Mr. A'COURT, a COLONEL, and a RELATION OF LORD RADNOR, for a runner. Let us leave the stupid farmers, who have not the brains to set a right value upon this act of "paternal kindness"; and let you and I, sir, take a look at the natural and inevitable tendency of this bill.

It authorizes the commissioners, FRANKLAND LEWIS and Co., to order parishes to be united to a great extent; to cause great thundering workhouses to be erected; to command relief to be refused to all persons, except on condition of coming into the workhouses; it takes away the power of the overseer and of the magistrate to give relief, without the sanction of two-thousand-a-year LEWIS and Co. communicated to the parties, doubtless, by penny-a-line CHADWICK, the secretary; it sets no bounds to the power of these commissioners with regard to the refusing of relief; it empowers them, if they choose, to enforce most rigorously the system of Parson LOWE, of the parish of BINGHAM, in Nottinghamshire; that is to say, if a man with a family should break his leg, or should be

unable to find work, to make him come into the workhouse, which may then be at forty or fifty miles from his home ; there to have his own clothes stripped off, and a workhouse dress put upon him ; and to cause his wife and children to be treated in the same manner ; to separate man and wife completely, day and night, and never let them see one another ; to separate the children from the parents, and never let them see one another ; to suffer no friend, no relation, to come to speak to either, though upon their dying beds ; there being, observe, the *Dead-Body Bill* still in force, which was supported by Lord RADNOR and the BISHOP OF LONDON, which Bill will authorize the keeper of the workhouse, who may be a negro-driver from JAMAICA, or even A NEGRO, to dispose of the body to the cutters up, seeing that it cannot be claimed by the kindred of the deceased, they not being allowed to come into the workhouse !

All this, two-thousand-a-year LEWIS and his brace of associates, and penny-a-line CHADWICK, *may do, if they like*, in consequence of this Act. But *will they do it ?* Will the ministers turn them out, if they do it ? Why should they ? In the first place, in the reports of the brace of Bishops and their colleagues, this system of Parson LOWE is enlogized to the skies ; in the next place, this report relative to Parson LOWE was, amongst others, laid before Parliament a year before, in order to pave the way for the introduction of this bill. Then, again, Lord RADNOR, in urging the second reading of the bill, said, that, if there were "a REVEREND Mr. LOWE in every parish of England, *the bill would be unnecessary.*"

If this be not enough to convince us, that those who brought in, and who pushed on, and who approved of, this bill, would applaud the commissioners for thus acting upon Parson LOWE's system, I know not what would be enough. However, it is quite sufficient for me to know, and for the people to know, that the bill empowers LEWIS and Co. to act thus.

One of Parson LOWE's objects, as related to us by the poor-law runner COWELL, was, to make it so *irksome* and *painful* to obtain any relief as to prevent people from applying for it, though on the point of starvation; certainly, the Parson could not have adopted means more efficient than those I have described, and are merely copied from the report of COWELL, the runner; and the parson got a *man from a distance* to be the keeper of his house; a man unacquainted with the parish; and penny-a-line CHADWICK, in his runner's report, strongly recommends the getting of *strangers* to be keepers; *firm* men, NOT TO BE MOVED BY DISTRESS, WHETHER FEIGNED OR REAL!....Are we in *England*? or are we in *hell*, while we are reading this!....At any rate, wherever we are, it is very certain, that DEATH will be preferred, at any time, to the receiving of relief on conditions like these; and, the risk of death, Parson LOWE has experienced, will be preferred to the receiving of relief on such conditions; for, only about seventy-five days before Lord RADNOR was *regretting* that there was not "a REVEREND Parson LOWE in every parish of England," the parson's own *corn stacks* had been *fired* by a man, to whom these conditions had been *tendered* as the price of relief! This was a

single man, too, and a man of *excellent character*, and he openly avowed that he set the fire, and that he wished the parson and his hired overseer had been in the middle of the burning stack, because he refused him relief without submitting to these conditions, which Lord RADNOR regretted "were not established in every parish in England."

I will now speak of the inevitable effect of a system like this, supposing it to produce *resistance of no sort*. I shall speak of the Act as a thing universally submitted to, and established throughout England and Wales; and the first consequence inevitably would be, that nobody, except poor, wretched, feeble-minded as well as feeble-bodied souls, would ever apply for relief. Poor creatures, who, from age, from infirmity, from mere childhood, from a total absence of every feeling, except merely that of a desire not to die; nobody else would ever apply for parochial relief; and, still proceeding on the supposition that no thought of resistance of any sort would be entertained, and that there would be a quiet resignation to the law, and even a reverence for two-thousand-a-year LEWIS, and penny-a-line CHADWICK; proceeding upon this supposition, what would be the next consequence? Why, there being no parish relief, the labourers would be compelled to receive *whatever wages the farmers chose to give them*. For life is precious to every living creature. You must be right hungry, and be stripped of all powers of resistance, or of helping yourself, before you know what you would submit to, in order to save life. After *exhausting* all the resources of supplication; after

wives and children had pleaded in vain with streaming eyes, the labouring man must submit: the farmer, pressed by the tax-gatherer, pressed by the parson, pressed by the landlord: a jail-door opening to his eyes, would, with tears in those eyes, screw the labourer down, in a short time, to *Irish wages*.

People, whether in high or low life, bear up against sufferings as long as they can, and especially against suffering from hunger. First, nothing would the labourers lay out for clothes; they would collect, as they do in Ireland, cast rags just to keep them from perishing. By degrees, all would be rags; and all would be filth; for the belly must have all, and soup is dearer than the damned potatoes. The stockings would be dispensed with first; next the shoes; for the bottoms of the feet become a hoof in a short space of time. Whatever shifts and smocks there might be in existence, when penny-a-line CHADWICK should begin to send round the mandates, would become rags without seeing a washing-tub. As to the head, nature has furnished that with a covering; and a good mop of hair, never combed, and well stocked with vermin, is all that the head would soon have. The household goods would disappear, bit by bit, in exchange for potatoes and salt; and as to lodging, a couple of years would bring the far greater part of the labourers, and their wives and children, to a wisp of dirty straw. An iron pot, wherein to boil the accursed roots; a wicker basket, or the head of an old tub sawed off, would be all the table and culinary utensils; and, with a pig to be at table along with the rest, to be pampered more than the children,

and lodged with greater care, and nursed with greater tenderness, as a thing, not to be eaten, but to be sold to pay the rent. THIS WOULD BE THE LOT OF AN ENGLISH LABOURER AND HIS FAMILY!

And, sir, are the working people of England to be brought to this? Is this to be the lot of those who till the land, work the looms, and fight the battles, of England? Is this to be *their* lot, while the drum and the trumpet at the head of troops of fat soldiers and fat horses ding in their ears, "*Oh! the roast beef of Old England! Oh, the old English roast beef!*"? Let us turn from the maddening imaginary sight, and see if we can find consolation in the fate of the farmer; the farmer, whom LORD ALTHORP is so anxious "*to relieve,*" and who, LORD RADNOR told us, was so anxious for the passing of this bill; but whom neither of them would *trust with the management of his own money!* Let us see how this system would operate upon him. Oh! marvellously well! says penny-a-line CHADWICK; for the saucy labourers, who now live upon such "*luxurious diet,*" and have such "*strong beer*" furnished to them, and who take away ten or twelve shillings a week, will be brought to live on a "*coarser sort of food*"; and will take from the farmer only from four-pence to eight-pence a day; and, of course, *agricultural capital would increase.*

The farmers, by the operation of their own plain understandings, have seen down to the very bottom of this matter, in spite of all the mud and all the filth messed up to prevent their sight from penetrating down. Plain common sense has told them, that, if

tithes were abolished, they must add to their present rents the amount of the tithes, and more than the amount, it being always better to deal with the parson, who has only a life interest, than to deal with the landlord, who has a right in perpetuity, and who has divers additional motives to any that the parson has, to add to the annual revenue of the land. If the poor-rates were abolished, the farmer knows well, that the amount of them would be added to his rent, and more than the amount; because, besides that the rent would be taken away out of the parish, in nine cases out of ten, he, in many cases, pays the rates in kind, or partly in kind. But, the great consideration is this, that farmers have *kindred* as well as other men. Their kindred, though in a degree not making it legally incumbent on them to support them in case of necessity, may stand in need of relief, and of that relief they now bear no more than their due share. For instance, a brother, or a brother's widow and children (and nothing is so frequent as this), may stand in need of relief, much greater than it is in the power of a farmer to give without ruin to his own family; and be he the best and kindest brother that ever lived, he cannot give him and his family efficient relief and keep his own head above water. Abolish the poor-rates, and he to be sure is not called upon with others to afford relief to his brother and his family: the law is silent upon the subject; but nature is not; and he goes on dividing his loaf and his garment with his brother, till all become beggars together.

Besides this, the very far greater part of farmers

have pretty numerous families ; they know that their children may become destitute ; and they know, by the sad experience given them in consequence of your bill, *that they may become destitute themselves*. When I went to Ely, some years ago, in order to see the very spot where the English Local Militiamen had been flogged under a guard of German bayonets, for having expressed my indignation at which, ELLENBOROUGH, GROSE, LE BLANC, and BAYLEY, sentenced me to be imprisoned amongst felons in Newgate for two years, to pay a fine of a thousand pounds to the king at the end of the time, to be held in bonds of five thousand pounds for seven years after that, the whole of which punishment I underwent, having, besides, paid twenty guineas a week for a hundred and four weeks to keep myself out of the company of felons ; for all of which I have been *doing myself justice* from that day to this, and will continue to do it, till I shall be *satisfied*. When I went to ELY to see that spot, in the year 1830, I saw three poor men, employed by the parish, cracking stones by the side of the road ; and the gentleman who was with me informed me, that those three men had all been *farmers*, had been overseers of the poor themselves, within six years of that very day, and had been reduced to that state by the parliament having passed YOUR BILL ! In the reports of the poor-law commissioners ; those very reports which came from Bishops BLOMFIELD and SUMNER, and STURGES BOURNE and SENIOR and BISHOP and COULSTON and penny-a-line CHADWICK ; in those very reports it is stated, that an overseer of the parish of Charlbury in Oxfordshire

informed them, that, *every man* then alive, *who had been a farmer* in the parish thirty years before, except two, *was now on the poor-book!* What! and have we authorized penny-a-line CHADWICK and FRANKLAND LEWIS and the other fellows to send these men to a big workhouse, and subject them to Parson LOWE's discipline, and at their death to the provisions of the Dead-Body Bill! We have; and they know it; every farmer knows that such may be his lot.

He further knows, that as a mere question of money, that which he now gives in wages to the labourer, *the landlord will make him give to him*; that, if his rent be now a hundred a year, and his wages a hundred, he, having reduced the wages to twenty pounds a year, the landlord will make him give him the eighty that he pinches out of the labourers; aye, and he will make him give him *more than that*; for, the parochial relief being gone, every man who has children, and especially young children, will see starvation and death staring him in the face: he will submit to any terms, rather than be ousted from his farm. The praiseworthy fashion of lingering upon the accursed root, and of being wrapped up in rags, will be cited against him as an accusation of *his* rolling in luxury; by degrees meat will be as completely forbidden him, as if forbidden by law; the curse of God will be upon him: "Thou shalt rear flocks and herds; but another shall take them away, and the flesh thereof thou shalt not taste, and the wool thereof shall not cover thy body." When all become a mass of ragged wretches, if one will not submit to this, another will; till at last the lot of

Ireland will be that of England ; all will be a mass of poverty, misery, rags, and filth ; and the *name of farmer*, for so many ages signifying a husbandman of superior rank, will become a by-word and a mockery.

Such, sir, is the inevitable tendency of this bill, if it be persevered in ; and, now, I think I have shown, *first*, that the grounds whereon it was proposed and passed were stated from gross ignorance ; or from as gross insincerity. But I now have to treat, in the course of this book, of the question of RIGHT ; of the RIGHT to do this thing, *even supposing it to have been necessary to preserve the estates of the landlords*. I have shown that it was not at all necessary for that purpose ; I have shown that, unless the bill come at the WAGES, it can do nothing for the landlords. A farm at a hundred a year, would receive an addition to its rent of only about twenty pounds by the lopping off of the poor-rates ; but let the landlord take the *wages*, too, and it more than *doubles* the rent of his farm. He gains in the same proportion with all other working people, blacksmiths, carpenters, wheelwrights, bricklayers, and even shopkeepers. The wages of all these amount to, perhaps, a hundred millions a year : to get at the half or two-thirds of this sum was worth all the trouble that we have seen taken. And, again I say, whatever might have been the *design* of the bill ; however *generous* the *motive* of those who hatched it, pushed it on, and supported it, I have here stated its *inevitable tendency*, which is described in one short sentence : TO TAKE FROM LABOUR ITS JUST REWARD, AND TO ADD TO THE ENJOYMENTS OF IDLENESS.

And now, sir, the ground stated for the adoption

of this measure being this, *that the measure is necessary to prevent the estates from being swallowed up by indigent working people*, I am, in the course of this little book, about to inquire into the nature of THE RIGHT, which those who are called the *landowners* of England, have to those estates.

Before, however, I do this, I think it right, because I think it *useful*, to give the reasons why I address this little book to YOU.

In the early part of 1833, I published, in my *Register*, an article entitled, "RECKONING COMMISSION." I have not that *Register* at hand; but I recollect, that the substance of the article was as follows: that it would be a very desirable thing to form a society in London, to be called the "RECKONING COMMISSION"; that this society should appoint a secretary to correspond with some one or more intelligent person, or persons, in each county in the kingdom; that, through such means, and such-like means, the society should obtain an accurate knowledge relative to all the considerable landed estates in each county, ascertain the names of the several proprietors, the probable extent and rental of each estate, the time when, and the manner how, it came into the hands of the present proprietor; and to ascertain whether, or in what degree, the possession might be ascribed to the present possessor, or his family predecessors, having received sums of public money, whether from pension, sinecure, grant, retired allowance; or under the name of public salary, or public pay, of any description.

Bearing this description of the article in mind, the description being as full and accurate as my memory

can make it, let me now advert to the use which you were pleased to make of it, *in the House of Commons*, on the 16. of May 1833, when I, in discharge of my duty, proposed to the House a resolution, concluding with a proposition to address the King to remove you from the Privy Council, on the ground that you had been the proposer of the destructive and desolating Act of 1819. It was not very easy for common mortals to perceive the connexion between that resolution and this article of mine relating to the *Reckoning Commission*; it was extremely difficult to perceive how this proposition of mine, as editor of a paper, could be twisted into an argument to be directly and solemnly addressed to the House of Commons, as a ground for rejecting a proposition for placing on record a censure on your conduct in the year 1819. Nevertheless, and in spite of the strong presumption which this furnished, that my proposition made to the House was unanswerable by you or by anybody else; notwithstanding this, such was the use which you made of my RECKONING COMMISSION; and that, too, amidst a noise which, I will not call *cheers*, it having resembled the roarings of madmen, rather than anything worthy of the name of marks of applause I stop here, just to observe, that the proceedings of that evening arose out of a *grand mistake*. A member of the house told me, that he heard a Tory say to a Whig, "*Damn him! let us join, and crush him at once!*" to which the Whig cordially assented! It was a grand mistake. I laughed at all the crushing and all the expunging; knowing well that only a little time was required to

make nine tenths of the members ashamed of the follies of that night.

But, sir, it was the *exhortation* which you uttered upon that occasion, which I thought worth remembering, and which I very faithfully put into print the next day. You, assuming that it was my deliberate intention to set on foot a scheme of general confiscation, called, in the most solemn manner, on men of PROPERTY, of ALL PARTIES, to join to crush those who entertained manifest designs on property; thereby meaning me.

Now, sir, therefore, I address to you this little book on the subject of the rights of property. The poor-law bill, which you and the Duke of WELLINGTON supported (you with your vote, and he with vote and speech), was, as we have seen, proposed, on the express grounds, that *it was necessary to preserve the lords' estates from the grasp of the poor people*. This is notorious; and it is not less notorious that the far-famed BROUGHAM, in the way of illustration, said, that *if this bill were not passed, he himself might become a pauper in the county of Westmoreland*; on which I observe for the second time, that it is my well-considered opinion, that his chances of becoming a Westmoreland pauper are *greater* with the bill, than without the bill! I have proved to you, that the bill was not necessary to preserve anybody's estate, or to preserve rightful property of any sort, in the hands of anybody; but, sir, since this was the great alleged ground for the passing of this bill, I think it proper to inquire into the *right*; I think it proper to ask *WHAT IS THE RIGHT*, that lords, baronets, and 'squires,

have to possess the lands, and to make the laws? I think it proper to state this question, and to answer it; and I think it proper, while so doing, to address myself to the working people of England, renowned throughout the world, for their matchless industry and matchless skill, in useful labour of all sorts; but now represented as a mass of "lazy and sturdy vagabonds," wishing to live upon the property of others.

This same BROUGHAM, in the course of his speech, eulogized Parson MALTHUS, and declared that he proceeded upon *the principles of that man*. That parson, who was a *pensioner* living on the sweat of the people, recommended, that no man, who should marry after a certain day, should, after that marriage, receive any parochial relief, let his state of want be what it might; that his wife should be subjected to the same fate; that their children should also be subjected to that fate: that they should be told that "they had *no claim upon society for the smallest portion of food*, even to sustain life."

Others have claimed and *exercised* what they call their *right* of "*clearing their estates*"; that is to say, the right of driving the people *out of the country*, on pain of death from hunger and cold. Corresponding with this asserted right, is the right of the mass of landlords to ground the *right operating at elections* on the possession or occupation of *real property*, and their right to exclude from voting all persons not possessing or occupying such property. And, above all other things, the POOR-LAW BILL has been founded on these assumed rights of property. It is this *poor-law bill that throws down the gauntlet to us*; and base

is the Englishman who has the power to take it up and who lets it lie quietly on the ground. I have the power to take it up; I do take it up; and this little book is the result of my resolution to do it. Be pleased to bear in mind, that, whatever may be the *effect* of this book, the writing of it is not a thing of *my seeking*. The laws of God, as to this matter, and the law of the land, have not been unknown to me for a great many years; but, notwithstanding your invectives against me, as "*an enemy of all property*," I have forbore to touch upon a subject, which I did not wish to see agitated. So long as there was hope of obtaining substantial justice for the working people, without moving in the matter; so long as the legal provision for the poor remained unshaken in substance, I was disposed to forbear, hoping, particularly, that a "*reformed parliament*," by relieving the whole of us from the heavy burdens of taxation, would have effectually 'prevented anything being done by anybody, founded on the execrable principles of the pensioned and hard-hearted MALTHUS. Now it would be the extreme of baseness on my part, to forbear any longer. MALTHUS's crew, with BROUGHAM at their head, are calling, incessantly, for "COARSER FOOD" for the labourer; for separating him from his wife and both from children, and for putting dresses of disgrace on all of them, if they happen to be poor and destitute: they are doing this upon the express ground, that it is necessary to preserve the estates of the landlords; and therefore it is, that I enquire, *what is the right which these landlords have to those estates?* And I address myself to the working people

of England, because they are the parties in whose behalf I take up the gauntlet.

I put it in a form, and give it a size, and bind it in a manner, and sell it at a price, such as may cause it to be most extensively read, most easily preserved, and most conveniently referred to; and, I call it a LEGACY, because I am sure, that, not only long after I shall be laid under the turf; but after you shall be laid there also, this little book will be an inmate of the cottages of England, and will remind the working people, whenever they shall read it, or see it, or hear of it, that they once had a friend, whom neither the love of gain on the one hand, nor the fear of loss on the other, could seduce from his duty towards God, towards his country, and towards them; will remind them, that that friend was born in a cottage, and bred to the plough; men in mighty power were thirty-four *years* endeavouring to destroy him; that, in spite of this, he became a Member of Parliament, freely chosen by the sensible and virtuous and spirited people of Oldham; and that his name was

WM. COBBETT.

LETTER I.

HOW CAME SOME MEN TO HAVE A GREATER RIGHT TO
PARCELS OF LAND THAN ANY OTHER MEN HAVE TO
THE SAME LAND.

MY FRIENDS,

When God made the earth, he made MAN, and gave him dominion over the earth. "So God created man in his own image, in the image of God created he him; male and female created he them. And God blessed them: and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it, and have dominion over it, and over the fish of the sea, and the fowl of the air, and over every living thing that moveth upon the earth." Gen. ch. i. ver. 27, 28.

This is the only true foundation of man's rightful ownership of, and command over things, other than his own body. The earth, the waters, the air, and all that in them were, were the common and general property of all mankind; and, as to any particular spot of earth, piece of water, or tree, or other vegetable, or living creature, one man could have no more *claim to any of them* than any other man had. But

when hunger, cold, or any other cause, made it necessary to some men to do something to any part of the creation, in order to make it more useful to him, that thing began to be more his property than the property of other men ; and, indeed, it would have been against natural justice to insist upon coming and sharing with him, and still worse wholly to take from him the fruits of his labour. If, for instance, a man broke up and sowed a piece of ground, having first gathered the wild seeds for the purpose, it would have been against natural justice to take the crop from him. Upon this ground it was that ABRAHAM claimed a well in the country of ABIMELECH ; and he exacted an oath from the latter to testify, "that he had *digged* that well." He had no other title to it, and pretended to have no other : his right of property he founded solely on the labour performed in the digging of the well. BLACKSTONE, who is the teacher and expounder of the laws of England, says (Book II. chap. 1), "that *bodily labour* bestowed upon any thing which "before laid in common to all men, is universally "allowed to give the fairest and most reasonable title "to an exclusive property therein." He says, that there is no foundation in nature, or in natural law, why a *set of words on parchment* should give to any one the dominion of land.

Thus, then, we see that LABOUR must have been the foundation of all property. Mr. TULL, who was a very learned lawyer, as well as the greatest writer on agriculture that ever lived, claimed an exclusive right to the produce of *his book*, because he had *written it* ; because it was something proceeding from

the labour of his own mind; and thereupon he says, "There is no property of any description, if it be "rightfully held, which had not its foundation in "labour." And it must have been thus, because men never could have been so foolish, and so lost to all sense of self-preservation, as to suffer a few persons, comparatively, to take possession of the whole earth, which God had given to all of them as a common possession, unless these comparatively few persons had first performed, or their progenitors had performed, some labour upon their several spots of earth, the like of which labour, or a part of which labour, had not been performed by men in general.

When the earth came to be more peopled than it was for a long time, the common benefit of all demanded that *some agreement* should be entered into, which would secure to the possessors of particular parcels of land the exclusive possession and enjoyment of them and of their fruits; and that there should be *laws* to protect them in that enjoyment. When this state of things came, it was called *civil society*, and laws made by the common assent of any community of men, came to supply the place of the *law of nature*. These laws of civil society restrained individuals from following in certain cases the dictates of their own will; they protected the industrious against the depredations of the lazy; they protected the innocent weak against the violence of the unjust strong; they secured men in possession of land, houses, and goods, that were called *THEIRS*. The words "*MINE*" and "*THINE*," which mean *my own* and *thy own*, were invented to designate what we

now call a *property* in things; the meaning of the word "*property*" being this, that the thing is a man's own, or the own of a body of men; and that no other man, or body of men, have any right to partake in the possession, the use, or the fruits of it. The law necessarily made it criminal in one man to take away or injure the property of another man. It was even before this law of civil society, a crime against natural justice, to do certain things against our neighbour; to kill him, to wound him, to slander him, to expose him to suffer from want of food, or raiment, or shelter. These and many other things were crimes in the eye of the law of nature; but to take a share of a man's victuals or clothing, to insist upon sharing a part of the good things that he might happen to have in his possession, could be no crime, because there was no positive property in any thing, except in a man's body itself, or, at most, in such things as he had in his immediate possession and use, or as had been produced by his labour or that of his children. For instance, a hare, or pheasant, or deer, that he had caught; beer or wine that he had made; raiment that he had made; or a dwelling-place that he had built.

But, though it be thus quite clear that labour, which is property in itself, and which is an inherent and indefeasible property, resting not on parchments, or on any human laws; though it is quite clear that the performance of labour is the real and only legitimate foundation of all other property, and, though there is no other foundation that we cannot trace back to fraud or force, still we are not to conclude that a

man has no rightful proprietorship in any moveable or perishable thing which he has not made with his own hands, or that he has collected or acquired with his own hands; and that he has no rightful property in any land which he has not himself broken up, subdued (as it is described in the first chapter of GENESIS), or otherwise brought into a state of productiveness. To give him a perfectly legitimate property in a thing, it is not at all necessary that he should have performed labour upon it himself, or that his children should have done it; nor was it ever necessary, even in a state of nature, and when men had no other guide than natural justice.

TIMOTHY, for instance, had broken up a piece of ground, and by the use of his labour on it had acquired a rightful exclusive possession; but TIMOTHY wanted meat to eat with the bread that he raised from his land; and TITUS, who was a hunter, supplied him with meat to a certain amount, in exchange for a piece of his land; and by these means, TITUS became the rightful owner or proprietor of a part of this land, all of which belonged to TIMOTHY before. There was no law, no written law, and no law of civil society, to maintain these rights; but natural justice gave the right to TITUS, though he had performed no labour on the land. Under this state of natural law or natural justice, and at a time when there was no such thing as *money*, one man gave another man shoes, for instance, in exchange for corn, or in exchange for *any other thing* that he might want. Every thing *was the effect of labour*, and, as in the above case,

TIMOTHY and TITUS exchanged certain quantities of their labour, one for the other.

But when, in process of time, this practice of barter became too cumbrous and troublesome, MONEY was invented, as a *measure of the value of things*; and it was no longer so much wheat for so much meat, but so much money for so much of wheat, or of meat, or of anything else. The lawyer acquires money from the fees which he takes for giving his advice; the physician does the same. Both have acquired their skill by *labour*; by labour of the mind, indeed; but the capacity to labour with the mind is the gift of God as completely as is the capacity to labour with the hands. These professional persons labour, not upon the land, but with the price of their labour they purchase land; and hence the foundation of their property is labour as completely as if they had first broken up the earth, subdued it, and made it fruitful by the labour of their bodies; and this it is that gives them a greater right to the possession of certain parcels of land than any other men have to those same parcels of land.

And, as to those who are possessors of land by inheritance or by will. That which a man is the proprietor of, he has a right to dispose of at his death, if he have not received it on conditions which prevent him from disposing of it as he pleases. If a man could, in all cases, dispose of his property beyond his life in just what manner he pleased, he might dispose of it, as BLACKSTONE observes, for millions of years. The law of civil society, therefore, steps in and regulates this matter. But with this we have nothing

to do at present: my business, in this Letter, was to show how some men came to have a greater right to certain parcels of land than any other men have to the same land; and I have shown that this right is founded in labour, and *only in labour*.

LETTER II.

WHAT RIGHT HAVE ENGLISH LANDLORDS TO THEIR LANDS ?
HOW CAME THEY IN POSSESSION OF THEM ? OF WHAT
NATURE IS THEIR TITLE ?

MY FRIENDS,

To describe, and, indeed, to discover the real origin of the property, in almost any particular estate or farm in England, is next to an impossibility. Indeed, it is quite impossible even to guess at who first broke up a farm, and subdued it, and cultivated it. But there is another origin of private property, besides that spoken of in Letter I. ; namely, the origin, or right, or power of CONQUEST ! The lands of England, long after civil society had existed in the country, were *conquered* ; and were actually taken possession of by the Conqueror, as being all his own lands ; and were either given away by him, or sold by him, to certain persons already in the country, or to foreigners who came over with him from Normandy.

Hence he became the sole proprietor of all the lands in the kingdom of England and Wales ; and his successors in the throne, or in the government of

the commonwealth, have claimed the ownership throughout England and Wales, and also throughout the other parts of their dominions. The *tenures*, as the lawyers call them, and as we express it in the English word the *HOLDINGS*, were various, and are various unto this day ; but, without any exception whatsoever, no man who calls himself a landowner, is a *landowner* ; but is merely a *holder* of lands under the King, as chief of the commonwealth.

And, though this seems strange, it must always have been so in all communities, in substance, if not in form ; and it was so in England during the time that the government was a republic or commonwealth. To enable you better to understand this matter, let me relate to you, that, when the Norman Conqueror made a distribution of the lands, he retained, in many cases, a right over them, and derived profits from them, as a sort of landlord in chief. He gave some of the lands in a more ample manner than others ; but from all he exacted a *service*, or *tribute*, of some sort. With regard to certain parts of them, he retained the right of taking great sums of money from the possessors of the estates, under various pretences. When the landholder died, he demanded a year's rent of the whole of the estate from the heir, if the heir was of age ; if the heir was under age, he took possession of the estate until he became of age ; then made him marry whom he pleased, or forbade him to marry any other person, or made him pay the worth of a considerable part of the estate for disobeying his will.

When CROMWELL and the Parliament had put

CHARLES the First to death, they put an end to these exactions, by act of Parliament. They abolished them. But I must now beg your attention, and your best attention, to this very important matter ; and you will find that the change was by no means favourable to the *people*, but in favour of the *aristocracy* of the kingdom, and against the people.

The revenue which the king derived from this source, the paying of the sums composing which revenue was the condition on which the estates had been given by him, as chief of the commonwealth ; the revenue which the king derived from this source was, together with certain estates, which the king had always kept in his own hands ; the fund out of which he defrayed all the expenses of himself, his household, and every other expense of army, navy, and, in short, all the expenses attendant on the carrying on of the government, and in defending the country. The great holders of estates were, besides, compelled to come forth in arms, and with certain of their tenants, armed and clad, and supported by them, to defend the king, or the country, whenever it might be necessary. Indeed, this *military service* ; that is to say, for the several estates to be, at all times, liable to this *service*, was *the condition* on which the estates were held. And, though this service had been commuted for *money*, still the title to the estates was inseparable from the *service*, either in kind or in money : so that there were *no taxes laid upon the people* ; and, you will agree with me that it was perfectly just, that those who had the lands of the country given to them for nothing at all, should

render these services in return for so great a boon : at any rate, this was the condition on which they held the lands ; and as they could, at any time, give them up to the king or commonwealth, and thereby get rid of the services due to their king and their country from the estates, they had no reason to complain.

When King CHARLES the First had been put to death, and CROMWELL and his associates had seized upon the powers of the government, there was, of course, no king, to receive the services and fines, and other parts of the services aforementioned ; but there was *a people* ; and, as this revenue had enabled the king to carry on the government without taxing the people, these new rulers ought to have taken care that, however they had modified the manner of receiving the revenue, the same amount of revenue ought still to have been drawn from those estates. This was dictated by common justice ; but these men were actuated by no feeling of justice towards the people ; and they laid the foundation, in this very instance, of the most grievous of the hardships of which we, even unto this day, have to complain. They passed an act, of which the following words express the substance : " That the court of wards " and liveries, and all wardships, liveries, prime " seisins, and ousterlemains, values and forfeitures " of marriages, by reason of any tenure of the king " or others, be totally taken away. And that all " fines for alienations, tenures by homage, knights' " service, and escuage, and also aids for marrying the " daughter or knighting the son, and all tenures of

“the king *in capite*, be likewise taken away. And
“that all sorts of tenures, held of the king or others,
“be turned into free and common soccage ; save only
“tenures in frankalmoign, copyholds, and the hono-
“rary services (without the slavish part) of grand
“sergeantry.”

The whole of the acts of parliament passed from the death of King CHARLES the First, to the restoration of his son, CHARLES the Second, were obliterated, or blotted out, from the Statute Book, upon that restoration taking place. The above fact, therefore, bears date in the 12th year of the reign of CHARLES the Second, the eleven years of the reign of CROMWELL and his vile associates having been reckoned as a part of this king's reign ; and this act, which was a revival or continuation of their act, having been passed in the first year of his real reign.

But, we now come to the flagitious part of the deeds of these villains, in this case. CROMWELL and his parliament having lopped off the revenue of the crown, having relieved the landholders from paying the chief of the nation that which was justly due from their estates, wanted money to carry on the government, and to put into their own pockets. And whom should they get the money from ? From the landholders they ought to have got it ; but they wrung it out of the sweat of the people ; and for that purpose they began that system of EXCISE LAWS, which has been the scourge of this kingdom from that day to this.

The people detested it from the very outset : it was in imitation of the Dutch, that base and sordid

nation. Such was its unpopularity with the people of England, who protested against it as an illegal and detestable extortion, that the vile band of usurpers then called the House of Commons, passed a resolution in 1642, in these words: "That aspersions having been cast by malignant persons upon the House of Commons, that they intended to introduce *excises*, the House, for its vindication therein, did declare, that these rumours were *false* and *scandalous*; and that their authors should be apprehended and brought to condign punishment." These hypocrites, however, having, the next year, gathered troops round them to defend them, passed an act imposing excise on beer, cider, and perry; and the year after that, on flesh, wine, tobacco, sugar, and such a multitude of other commodities, that it might fairly be denominated general. PRYNNE, one of the most cunning of the villains, said that they intended to go further, but that it would be necessary to *use the people to it* by little and little.

When CHARLES the Second was restored, this detestable tax on the people was kept on by an act, passed in the first year of his real reign; and thus were the holders of estates free from the charges due on those estates, while the burden, to a greater amount, together with all its vexations and torments, was laid upon the people. The EXCISE now amounts to *seventeen millions a year*, and upwards; and if we reckon the cost of the *monopolies*, created by the tax, this horrible species of taxation costs the people *thirty millions a year*! This is never to be forgotten when we are talking, as we are in the present letter,

of the right which English landlords have to their lands. And of what nature is their title to those lands? I call not in question their original right; I call not in question the right of the Conqueror to give the lands; I call not in question these things; but I know that these proprietors held the lands on certain conditions; that those conditions were, that they should contribute largely, and almost solely, to the maintenance of the king, of his family, to the support of his dignity, and of all his officers of state, and to the defence of the kingdom; and, though the excise was continued by an act of parliament, it was a mere repetition of an act passed by rebels and usurpers. I call not the legality of this act of parliament in question; but, while I thus acquiesce; while I thus allow the validity of this last-mentioned act of parliament, I must insist upon it, that it was no more than other acts of parliament; and that it can be as legally repealed as any other act of parliament that ever was passed; and I further say, that it ought to be repealed; or that, at any rate, the holders of the landed estates, the duties and services of which were taken off by that act, ought to be called upon to pay, out of the rents of those estates, a sum equal in amount to the amount of the duties formerly rendered; the estates still being the same in extent, and the same in quality; it signifying not one single straw through whose hands they may have passed between that day and this, and it being of as little consequence in whose hands they may be now.

Such, then, is the tenure, or holding, of the lands in England. It is clear work, because the

holding is all derived from one source, and because the nature of the title is as clear as it is in the power of words to make it.

Having now seen what right the Landlords of England have to their lands ; having seen how they came to be possessed of them ; having seen the origin of their title, we may proceed to the matters contained in the next Letter.

LETTER III.

IS THE RIGHT OF THE LANDLORDS TO THE LANDS ABSOLUTE? IS THE LAND THEIR OWN NOW, OR, ARE THEY STILL HOLDERS UNDER A SUPERIOR?

MY FRIENDS,

Though the power of the king to practise the heavy exactions on the estate-holders, which exactions were mentioned in the last Letter, was abolished by the act of parliament that I have quoted, still the form remained, though nearly deprived of its substance; and the lordship of the king over the lands is still, in form of law, what it always was. There are various sorts of under-holdings, such as leasehold, lifehold, copyhold, freehold; but, whatever else there be, the law of England says, that no man can hold lands in this kingdom in *absolute right*; that no land is any man's OWN land (except that of the king himself); but that every one who calls himself the owner of any inch of land in the kingdom is, in fact, a tenant under the king, as chief of the commonwealth. This being a matter of such great importance, and tending to lead the minds of young men into interesting reasoning on the subject, I shall

cite the whole passage from Judge BLACKSTONE (Book II. ch. 7), in order that you may be sure that I commit no mistake in a matter of such weighty concern.

“The word *allodium*, the writers on this subject “define to mean every man’s *own* land, which he possesses merely in his own right, without owing any “rent or service to any superior. This is property “in its highest degree ; and the owner thereof hath “*absolutum et directum dominium*, and therefore is “said to be seised thereof absolutely *in dominico suo*, “in his own demesne. But *feodum*, or fee, is that “which is held of some superior, on condition of rendering him service ; in which superior the ultimate property of the land resides. And, therefore, “Sir HENRY SPELMAN defines a feud or fee to be “the right which the vassal, or tenant, hath in “lands to *use* the same, and take the profits thereof “to him and his heirs, rendering to the lord his “due services ; the mere allodial *propriety* in the “soil always remaining in the lord. This allodial “property no subject in England has ; it being a “received, and now undeniable principle in the law, “that all the lands in England are holden mediately “or immediately of the king. The king, therefore, “only hath *absolutum et directum dominium*, but all “subjects’ lands are in the nature of *feodum* or fee ; “whether derived to them by descent from their “ancestors, or purchased for a valuable consideration : “for they cannot come to any man by either of those “ways unless accompanied with those feudal clogs, “which were laid upon the first feudatory when it “was originally granted. A subject, therefore, hath

"only the *usufruct not the absolute property* of the
"soil, or, as Sir EDWARD COKE expresses it, he hath
"*dominium utile*, but not *dominium directum*. And
"hence it is that in the most solemn acts of law, we
"express the strongest and highest estate that any
"subject can have by these words, 'he is seised
"thereof *in his demesne as of fee*.' It is a man's
"demesne, *dominicum*, or property, since it belongs
"to him and his heirs for ever: yet this *dominicum*,
"property, or demesne, is strictly not *absolute* or
"allodial, but qualified or feodal; it is his demesne,
"*as of fee*; that is, it is not purely and simply his
"own, since it is held of a superior lord, in whom the
"ultimate property resides."

We have seen in Letter II. that the king, as chief of the commonwealth, was, until the passing of the act of 12th Charles the Second, the real and *active* lord of a great part of the estates. He has *now* not the same extensive claim upon them; but you see, that he is still the lord paramount of them all; and that the parliament may, at any time, pass an act to bring him back to the right of his former revenue out of them. This is a great tumble down for the big-talking landlords, who are, in fact, nothing but tenants or holders under the chief of the nation which chief holds his authority, sits upon the throne and claims a right to sit upon the throne, *by an act of parliament*; which act of parliament the people by their representatives assisted in passing.

It is of importance here to explain this matter; because as here is a superior lord over all the landlords, it is worth the while of those landlords to con-

sider how this superior lord comes by his right to be placed in that situation. He has not *created* the lands; he is not the lord over them by *Divine right*, but by *act of parliament*. He has a right, in law, which is called hereditary; that is to say, our present king, for instance, came to the throne as heir-at-law of GEORGE THE FOURTH, who held the crown from his father, who held it from his grandfather, who held it from his father, who came to it by virtue of an act of parliament, passed in the 12th and 13th years of King WILLIAM and Queen MARY; and, in explaining to you how this act of parliament came to be passed, I shall afford you the means of judging in what degree the nation has to do with the property over which the king is superior lord.

In the year 1688, King JAMES the SECOND was king, being the heir-at-law of his brother, King CHARLES the SECOND. He was guilty of what was alleged to be an *endeavour* to "*subvert the constitution*:" whereupon certain of his subjects went to Holland and invited the Prince of ORANGE to come over with an army against King JAMES, who, finding himself deserted on every side, fled out of the country. Upon this, some lords and gentlemen, and the lord mayor, aldermen, and common council of London, met in the houses that were burnt down the other day, or in one of them; and there, without a king, and without having been called together by any king, calling themselves a *convention*, issued what they called an act, appointing WILLIAM, the Prince of ORANGE, and his wife, MARY (the said WILLIAM being a *foreigner*), to be *King and Queen of England*;

and King and Queen of England they became directly afterwards.

It was then enacted by the parliament, that the heirs of the body of this WILLIAM and MARY should succeed to the crown; if they had no heirs, it was enacted that the Princess ANNE, who was a younger daughter of King JAMES, should succeed to the crown; and if she had no heirs, it was enacted that the crown should go to the family of HANOVER, who were all foreigners. To that family it did go, and King GEORGE the FIRST came over and reigned as the first king of that family.

Now, observe, all this took place while JAMES the SECOND had a son, who would have been heir to the throne after his father's death: and he had not "*endeavoured* to subvert the constitution," if his father had. Nevertheless, the acts of parliament set aside this son, and made it high treason in any man to assert that he had a right to the throne; and these acts of parliament all went into full effect.

I have mentioned these things to show you what the nation did in this case; and to show you that the king is not to be regarded as superior lord over the lands by *Divine right*, but by *law*; and by such law as the nation may choose to make. Our lawyers, and particularly Judge BLACKSTONE, have determined that it was agreeable to the principles of the constitution of England to pass the acts which I have just mentioned. "For," says Judge BLACKSTONE (Book I. chap. 3), "whenever a question arises between the society at large and any magistrate, originally

"delegated by that society, it must be decided by the voice of the society itself: there is not upon earth another tribunal to resort to. And that these consequences were fairly deduced from these facts, our ancestors have solemnly determined, in a full *parliamentary convention, representing the whole society*;" that is to say, a *convention*, which means a *meeting*, of English lords and gentlemen, and the lord mayor and common council men of London, without a king; and having been called together by no king, and by no one having legal authority to call them together: this great lawyer and great teacher of our laws tells us, that this meeting was in itself and in its acts a thing consonant to the principles of our English laws. It is clear, then, that the whole of this great affair was the work of the society or nation; and certainly, he contends that we ought to be grateful to the actors in this scene, who acted, he says, agreeably to our constitution and to the rights of human nature. If, then, the nation can thus act in accordance with the spirit of the constitution, the king must be surely held to sit on the throne for the *benefit of the whole nation*; that he is the representative of his whole people; and that it is in this his capacity as legal chief of the people, that he is the superior lord over all the estates in the kingdom, and that it is in that capacity that in him the ultimate property of all lands resides.

And, indeed, thus it must be under all governments, in substance, though not always in the same form and under the same names. There is no king in the United States of America, but the congress

of that country are invested with the ownership of all the unsettled lands, which they dispose of at certain prices for the benefit of the nation ; but even when purchased, the purchasers do not possess an *absolute* ownership, a thing constantly to be borne in mind by all of you ; and then, when you hear men talk of their estates, as if they were the CREATORS of them, or as if they held them by an immediate grant from God, you will remind them, that the chief of the nation is their superior lord, and that they are entitled to nothing but the profits of them ; and, above all things, it would be useful to bear this in mind, if it should come to be a question, whether it will not be proper to petition the parliament to repeal the act which took away from the chief of the nation the revenue arising out of these estates, and which transferred the charge due from them ; the charge due from the property of the landholders to be laid upon your property ; that is to say, on your labour, which is a property over which there can be no superior lord. The transactions of this renowned "*reformed* parliament" have made it just and necessary for us all to look well into these matters ; and I trust that we shall not neglect our duty. Loud talk, noisy declamation, answer no good purpose. One hour spent in soberly looking into the rights of things in this manner, is more likely to make men act with good sense, and with effect, than whole years spent in clamorous railing.

LETTER IV.

HAVE THE LANDLORDS DOMINION IN THEIR LANDS? OR,
DO THEY LAWFULLY POSSESS ONLY THE USE OF THEM?
CAN THEY DO WHAT THEY LIKE WITH THEM?

MY FRIENDS,

Dominion means mastership; complete control; a right to do what you choose with the thing, except you be controlled by some specific law. England, Scotland, and Ireland, are, for instance, *dominions* of our king; but still his dominion is not absolute in him. He could not give KENT to the King of France; nor can he, without a law assented to by the lords and the representatives of the people, alienate, or make away with any part of his dominions. As to men's estates, they can have no *dominion* in them; they *own* the fruits of them; they are *holders* of the soil itself; they are their estates; but they possess in law no dominion; the king having dominion over them all. It is of great importance to have a clear understanding as to this matter; because, as we shall see in the next Letter, a great deal of a practical nature depends upon it.

A man lawfully possesses only the use of the

farm, for instance, which he calls his own. We see how improperly it is that he does call it his own, the chief of the nation being a lord over him; but, with regard to the dominion, the chief of the nation has the dominion over the land, besides being the superior lord over the tenant. Some audacious landholders have asked, "Have not I a right to do what *"I like with my own?"*" And it is very curious that we have never heard them receive any answer; very curious that we have never heard any one to say "NO" to this very impudent question, which applies not only to houses in a town; but to lands, wherever those lands may be situated within the kingdom; and situated on the sea coast, as well as elsewhere.

Now, then, suppose a man to be the landholder of PEVENSEY level; a place very convenient for a French army to land. He cannot sell PEVENSEY level to the King of France, because the law renders null and void the purchase of land by foreigners. Here, then, to begin with, he cannot do what he likes with his "*own.*" But there is no positive law against his *letting* it. And, could he, in time of war, *let* PEVENSEY level to the King of France? He might; but if there were any justice left in the country, he would be hanged for *high treason*; and that would be a curious effect, proceeding from the very simple operation of a man *only* doing "*what he liked with his own.*"

The truth is, that men talk in this manner, because they have never looked into the law, as explained in the third Letter of this little book. This impudence and audaciousness arise solely from the impudent and audacious persons not having learned

even the A, B, C, of the law ; for that would have taught them, that neither the land, nor anything immoveably attached to the land, is their OWN ; and that they are merely the holders, or tenants, under a superior lord ; that that lord is the chief of the commonwealth ; that it is in that capacity that he is their superior lord, who, besides this, has *dominion* over every inch of land in the kingdom.

Men lawfully possess only the USE of land and of things attached to the land ; and they must take care that in USING them, they do not do injury to any other part of the community, or to the whole of the community taken together. You may do what you like with your land, so long as the use, which you make of it, is not injurious to your neighbours ; and so long as the Legislature does not deem the use you make of it to be injurious to the commonwealth.

If men might do just what they pleased with their land, or with any house or building that they may have upon their land, almost any man having a considerable estate might annoy, if not actually ruin, a very large part of those who have lands or houses near him. In a town, for instance, a man might set fire to his own house ; and, having taken a suitable occasion to do it, might burn the whole town. To set fire to your own house, therefore, is felony, punishable with death, if it injure the house of your neighbour ; and, if it do not do injury to any one, it is, if there be other houses adjoining belonging to other persons, a misdemeanour, punishable with fine and imprisonment. You must not have trees standing on your ground sending out branches to hang over

your neighbour's ground ; because, by their shade, by intercepting the rains, and the dews, and the rays of the sun, they take from your neighbour the use of these things, which are the common property of all mankind ; and we may suppose a case in which the small garden of one man may be rendered totally useless by spreading trees standing on the ground of another man.

You must not erect any building to darken the windows in your neighbour's house, if those windows have been there for a great length of time ; nor must you open new windows yourself, in your own building, to overlook his ground ; because by either of these acts you render his property less valuable : you do him an injury. And there are thousands of cases in which a rich man might ruin scores of neighbours of small property, if they were not thus protected by the law, which law is clearly founded in natural justice.

But natural justice and the law of the land go further than this. They forbid you to have upon your land, or in your buildings, anything that shall make *noises*, such as to disturb the quiet, break the rest, or otherwise necessarily make it painful to your neighbours. A malignant rich man, wishing to drive all the people of a vicinage out of their houses, might cause half a dozen gongs to be incessantly sounded, or cannons to be fired, or kettle-drums to be beaten, so that the people of the neighbourhood could neither sleep nor hear each other speak. Short of this, and without any malignant motive, a man might have on his premises an engine of some sort, the working of which must necessarily be an annoyance to the neigh-

bourhood, make the lives of the inhabitants of the neighbouring houses less pleasant, and, of course, less valuable to the owners.

Neither must you, by anything that you do on your premises, cause *smokes*, or *nauseous smells*, which necessarily extend to a distance from your premises ; you must not, for the reasons just mentioned, cause such smokes or smells to issue forth from the lands or houses that you possess. No one denies that you have a full right to the use of your lands and premises ; but reason says, and justice says, that you have no right to avail yourself of that use to do injury to another man. The first of all rights is the right of life and limb. I have a right to the use of my hands ; but I have not a right to apply that use to any purpose that I please ; and yet I have as much right to knock you down with my fists, as you have to send forth from your premises smokes or smells which must naturally drive me out of my house.

The above are restraints upon a man for the good or security of his neighbours, or of a comparatively small part of the community. But there are other cases demanding a similar restraint for the good of the whole community. Suppose a river or stream to have its spring in your land, to run for a distance through it, then to pass through other lands. Now, observe, water, air, light, are things always possessed in common. They cannot, except in particular cases, be appropriated, or become the property of any man. The spring, the bed of it, and the land around it, are yours. The stream is yours, to use, at

your pleasure, as far as it runs upon your land ; but you must not destroy the spring, if you can ; you must not prevent the stream from going on, and entering your neighbour's land at the usual place ; for there it begins to be his, as completely as the spring and the former part of the stream are yours. Besides this, you must not do anything to the water, even on your own premises, that shall change its colour or its quality in any respect. If you were to apply the stream to any purpose that would cause the water to kill cattle by the drinking of it, the law would compel you to pay the full amount of the damage thus done to your neighbour, or to a whole series of neighbours, and through them to the community at large.

The statute law restrains men from turning out on commons stallions under a certain height. This may seem to be a strange prohibition, a very bold interference with a man's use of his property ; but it is, nevertheless, consonant with reason and with natural justice ; for, without such restraint, those persons who kept mares would be deprived of the use of the common for them, or would have their breed of horses spoiled, to the very great injury of the community.

Men are forbidden, in this kingdom, to grow *tobacco* on their lands. This, one would think, ought not to be. The cause is, that the excise duty on tobacco yields a great deal of money ; and, if the tobacco were cultivated here, instead of being brought from abroad, it is evident that it would be impossible to collect an excise duty from it ; because, being

planted in every man's garden, and in every field, or corner of a field, those who use tobacco would provide themselves with it without paying duty; as, indeed, some men do now, in spite of the law. We have seen in Letter II., that it was CROMWELL, and his execrable villains, who first invented the *Excise*. We have seen that it was they who first made the people pay taxes on tobacco. The duty has remained from that day to this; and though this statute law relative to this matter is not in accordance with natural justice, but a gross violation of that justice, still it shows that those who govern us give us this signal proof, that they do not regard property in land sufficient to warrant the proprietor in *doing what he likes with it*; that they do not regard him as having an absolute proprietorship; that they deem it just and proper that he should hold the land, subject to such restraints, charges, and conditions, as the legislature may at any time choose to impose; and this is to be borne in mind when we come to the important matters which are to be the subject of the ensuing Letters.

The statute law has frequently interfered, in a very direct and positive manner, with regard to the use which men shall make of their lands. There is no doubt that a tract of land will, in many cases, bring more clear profit to the landlord by being in pasture than by being in a state of tillage. In the former state there requires merely a herdsman for two or three hundred acres of land; whereas, for the same quantity of land in a state of tillage, twenty men would be required. So that, as these twenty men

would be to be maintained out of the produce of the land, though yielding five times the quantity of food by tillage that it would by pasturage, still the land would bring more *clear profit to the landlord* than by tillage; and, if nothing but landlords were wanted in a state or community, things might go on in this way very well.

But, there are other folks besides landlords wanted in a community; and the law, in perfect accordance with natural justice, steps in, when necessary, and prevents them from thinning the population of a country by turning their lands into pasture. In the history of our country this has frequently happened; the law has interfered; it has prevented the destruction of tillage: it has limited the bounds of pasturage; it has given a practical illustration of the principle, that all men hold their lands, subject to such restraints with regard to the use of them, as are consistent with the good of the community at large. Were not this the case, a comparatively small number of persons (the great holders of land) might abolish tillage to an extent that would not only expose innumerable persons to want, but that would deprive the state of the means of defence against foreign states; a thing so monstrous as not to be thought of without feelings of indignation, that there should be a man upon the earth presumptuous and arrogant enough to deem himself possessed of such a right.

LETTER V.

CAN LANDLORDS USE THEIR LANDS SO AS TO DRIVE THE
NATIVES FROM THEM ?

MY FRIENDS,

We now come to practical matter ; that is to say, to matter which belongs to our own affairs ; matter that we shall have to put in practice or to act upon. The foregoing letters have treated of the principles of property ; of rights, generally, in the abstract. They have shown how it has come to pass that some men have lands to which other men have not the same right that they have ; and they have shown how far their rights extend, with regard to many sets of circumstances and states of things. But we now approach the landlords more closely : we now come to consider their rights, as they bear upon the rights of the *working people*, and our first inquiry is, *whether they can, legally, make such use of their lands, as to drive the natives off from them.* And I am now about to show you that they have not such legal right.

One of the great principles of natural justice is, that every man has a right *to be* in the country where

he was born. BLACKSTONE (Book I. ch. 1) says, "Every Englishman may claim a right to abide in "his own country so long as he pleases, and not to be "driven from it, except by sentence of the law." But, if one landlord have a right to drive all the people from his estate, every other landlord has the same right; and, as every piece of the land in the island is held by some landlord or other; and as all would have the same right as the first driver, all the people, except the landlords, might be driven into the sea.

This is a thing too monstrous to be supposed reconcilable to any law; it would be putting landlords upon a footing with God himself; and, indeed, it would be admitting them to have a right to overturn all his decrees and all his laws, and the whole of his will as to the affairs of this world. Very far short of this, however, may the pretensions of landlords go; and yet go far enough to inflict most dreadful sufferings on the working part of the people, and on the community as a nation.

That I am not here combating with an imaginary evil; that this is not a mere possible evil conjured up in my own mind; that this driving off the people is not a mere dream of mine; and that I am not writing this part of my book for the purpose of filling up an idle hour in the time of my readers; but that I am combating a real, a practical, a growing, and a dangerous, as well as a cruel evil, I think it necessary, before I proceed further, most clearly to show.

It has, of late years, been a wide-spread practice, in Ireland and Scotland, to drive the working people off the lands, for the purpose, either of moulding

many small parcels of land into one great farm ; or for the purpose of laying the lands down into pasturage for cattle, or for sheep ; by which means the landlord, as suggested in the preceding Letter, calculates, that *he gets more in clear profit* by driving the people off than by letting them remain. I shall give here two extracts from *reports made to the House of Commons* by committees, appointed to examine into the state of the poor in Ireland. When I have done that, I shall speak of the remedy ; that is to say, of *legal means* to put a stop to this evil and cruelty ; which, as I shall show, arises out of a total neglect of the dictates of natural justice, as well as a total neglect of due attention to the fundamental laws of this kingdom.

From these reports we learn that the right of "CLEARING ESTATES" ; that is to say, driving the natives off, has not been called in question ; that it has been spoken of as familiarly, and with as little feeling, as of the driving off encroaching cattle from a field or a common ; or as of the driving of rooks from a pea-field, or rats from a farm-yard. It is related, that in the *clearings* of a very large tract, FIRE was resorted to ; so closely did the poor creatures cling to the spot of their birth ! The destructive use of that terrible element was resorted to by the "*magnanimous*" ALEXANDER, and used in a manner that could not have burnt to death less than a *thousand women in child-birth* ! To be sure, an effect so terrible as this did not proceed from the *clearing* in question ; but, so complete was that clearing ; so unsparing was it ; that I am informed, and

I believe the fact, that there is not now one single human being in that district, who can look back to *grandfather or grandmother who was born on the spot!*

Of the effects of a "*clearing*" in Ireland we have the following account, in a report of a committee of the House of Commons, printed by an order of the House, dated on the 16. July, 1830; "The situation of the ejected tenantry, or of those who are obliged to give up their small holdings, in order to *promote the consolidation of farms*, is necessarily most deplorable. It would be impossible for language to convey an idea of the state of distress to which the ejected tenantry have been reduced, or of the disease, misery, and even vice, which they have propagated in the towns wherein they have settled; so that not only they who have been ejected have been rendered miserable, but they have carried with them and propagated that misery. They have increased the stock of labour, they have rendered the habitations of those who received them more crowded; they have given occasion to the dissemination of disease; they have been obliged to resort to theft and all manner of vice and iniquity to procure subsistence; but what is, perhaps, most painful of all, A VAST NUMBER OF THEM HAVE PERISHED OF WANT!"

This appears to have excited no wonder at all: there was no one who talked of any measure to prevent a repetition of this. Quite a proper thing, to all appearance. No servant of the king to assert his rights of dominion, and of his claim to the safety of the lives

of his subjects ; nothing said to this clearing proprietor any more than if he had been a god. In a report from a similar committee of the same House, in 1821, we find Mr. STANLEY, who is now Lord STANLEY, giving the following evidence, relating to the poor on his estates in Ireland.

“Has it occurred to you, that in a case of “this kind, emigration might be *applied*, and be a “benefit ?

Answer.—“Of the greatest possible ; and I am “convinced that the expense, to devolve upon the “landlord in sending a portion of the population out, “would be amply repaid in a very few years in a “pecuniary point of view, not by an increased nominal “rent, but by an *increased probability of its being “paid* ; I should have recommended as the *cheapest* “and most effectual mode of *reforming* this estate, “and the agent for the property entirely concurred “with me in opinion, the sending a certain number “of those persons to America, but that I was aware “of the possible distress which might await emigrants, “especially with families, on landing, wholly unprovided for and destitute, and I waited most anxiously “to see whether Government would concur with Irish “landlords in some system which might clear their “estates, be of important national advantage in “securing the tranquillity of Ireland, and benefit the “colonies by an accession of population and wealth. “If any such plan be adopted, so as to secure the “comfort of the emigrant on landing, I should probably become an applicant for assistance to a considerable amount.

Question 4896. "Have you any reason to believe
"that the people will fall in with the plan ?

Answer.—"I am sure they would to an extent
"which might be embarrassing, and within the limits
"of a very confined experience ; I speak not without
"facts, I have had frequent application from the
"estate of which I have been speaking, to pay the
"passage money to America, and last year I desired
"the agent to call together the tenants *on the*
"*Limerick property*, to tell them that I had no com-
"plaint against one more than another, nor any wish
"to turn them out of their holdings, but that they
"knew that the rent must be paid, that there were more
"persons upon the land *than it could support*, and
"that I wished to know who were ready to volunteer
"for America, explaining the conditions for the sake
"of giving their lands among those who remained. In
"three or four days, offers came in, I think from
"seventy-nine out of three hundred and thirty-nine,
"and I do not doubt many more would have followed.
"We could at present *eject* all these persons, but in-
"dependently of motives of humanity, there might
"be a risk in doing it to such a number ; but with
"such an alternative offered to them, *I should feel no*
"*scruple in asserting my right*, and I am confident
"there is good sense in the Irish peasant, which would
"make them at once, and thankfully, accept the
"offer ; for the landlord and tenant I think emigra-
"tion is equally desirable, as affording the means of
"effecting that which must precede all improvement
"on Irish estates, *the diminution of the resident*
"*population.*"

We see here that Mr. STANLEY pleads his *right*, and smooths over the transaction by the offer of a conveyance to Canada ; that is to say, he gives the poor creatures the choice of transportation to a foreign land, or of perishing from want in their native land. I have ascertained upon the spot the fate of the miserable creatures who were expatriated in pursuance of what Mr. STANLEY calls, *exercising his right* in the county of Limerick, but I choose rather to rely on other authorities ; though, as I have names, and dates, and witnesses to the facts, my own authority would be perfectly good. I will not, however, put it forward, but will state the following undeniable facts. That, in Canada, there is an act of the assembly imposing a tax on emigrants for the double purpose of preventing emigration, and of helping to meet the burden imposed upon the people to keep the poorer part of the emigrants from starving.

This ought to be quite enough to satisfy any one, that, to give people the choice of starvation at home, or transportation to Canada, is only, in fact, giving them a choice of the time at which they shall be starved to death. But there is a book to which I must refer, that of Mr. Mc TAGGART, a Scotch gentleman, and a civil engineer in the service of the English government in Canada. This book was published in 1829 ; and in it the author states, that the emigration is planting misery in Canada ; that at SIDNEY and HALIFAX the wretched emigrants were rescued from starvation by issues from the public treasury ; that at St. JOHN'S a cargo of emigrants from KILLALA had arrived, sixteen of whom had died

on the passage, that three hundred and seventy had been crammed into the ship, capable of carrying, as it ought to have done, only a hundred and eighty-seven; that the vessels in which emigrants go to Canada are of the worst description, calculated for the carriage of *timber*, and not liable to sink with such a cargo: and that in one of these five hundred Irish emigrants perished by shipwreck!

Mr. MC TAGGART says, in speaking of the deaths of the emigrants, "that the Irish absolutely die by "the dozen of disease; in *winter* by *frost-bites*, in "summer by *malignant fevers* of all kinds; but that "those who own wild lands in America encourage "this emigration by their falsehoods. Out of one hundred grown-up persons, and two hundred children, "the mortality will be found nearly as follows: first "year, five of the former and thirty of the latter; "second year, eight-and-forty; at the end of five "years, only *fifty* of the children will probably be "found living, and *twenty* of the grown-up people."

The medical report of the QUEBEC emigrant hospital, dated 13th of August, 1831, records the "constant arrival of vessels from Europe with emigrants, many of whom are obliged to *be out in the streets and on wharfs*, causing most distressing "spectacles, and many of them dangerously ill, *dying in the streets.*"

There is no one who can call in question the correctness of these facts; and if these facts be correct, what monsters are those who compose what are called "emigration societies," or "colonial associations"; and what a government and what a parlia-

ment must those be, who not only do not put down but who seem to encourage these undertakings ! and who can quietly hear men talk of *clearing their estates*, as we talk of clearing a homestead of vermin !

Mr. STANLEY (who is now, in 1834, LORD STANLEY) tells us, that the people *gladly* accepted of his terms of emigration ; but he does not tell us that he told them, that they would be exposed to die in the streets in Canada, and that, at the end of five years, only seventy of them would be alive out of three hundred ; and even if he had told them this, men prefer the chance of life at the end of five years, or the end of five weeks, to starvation in the course of five days.

But let us now see how the compulsory ejectment from the country squares with the law, whether of God or of man. Throughout the whole of the Bible, the precept is inculcated, that men are not to grasp at lands or houses in quantity beyond their reasonable wants. In ISAIAH, 5th chap. and 8th verse, we have these words : “ Woe unto them that join house to house, and lay field to field, till there be no place, that they may be placed alone in the midst of the earth.” In the prophet AMOS, after describing the punishment due to the crimes of the community, the text proceeds thus : “ Hear this, O ye that swallow up the needy, even to make the poor of the land to fail ;” that is to say, to be driven away, to be wanting, to be absent, to be blotted out. But are there not five hundred passages in the two Testaments, in which denunciations are laid down against oppressors of the poor ? And what greater oppression can there be, or what oppression so great, short

of inflicting death; what greater oppression than that of saying to a man, you shall quit your native land for ever, or be exposed to die of hunger or of cold? What greater oppression than this, to say nothing about the heightening of this oppression by sending the oppressed creature to the frost-bites and the fevers of Canada?

Thus far the law of God; and now, how does this right of *clearing* estates; how does this right of transportation or banishment for life, comport with the laws of England? The laws of England insist upon *allegiance for life*; unalienable allegiance due from every person born in the king's dominions, to the king, as chief of the kingdom or commonwealth. *Allegiance* means the *tie* which binds every man to be faithful to his country and its sovereign; not to bear arms against them, and not in any way whatsoever, to give aid, assistance, or comfort to their enemies. There is a *condition* attached to this obligation, which we shall have to pay attention to by-and-by; but at present, we have only to look at the obligation as it bears upon the practice of compelling men to quit their country or to starve.

Certainly nothing is more reasonable or more just than this law of allegiance. It is just, too, that it should be indefeasible; that is to say, that it should be at all times and in all places binding; that it never should cease but with the man's life: that *voluntarily* going into another country ought not at all to lessen the obligations of allegiance, because a man cannot *unlive* the time that he has lived; and the obligation on him cannot, therefore, cease but with his life.

But (and now comes the application) if a law be passed to send a man out of his country, on pain of starvation, without his having been sentenced to transportation by due course of law; if a law be passed to authorize landlords to inflict this species of transportation at their pleasure, or to give the transported person the choice between transportation and death from hunger and cold: if a law be passed to this amount, is there not an end to that law of allegiance, which is the great cement of the social compact; the great distinguisher of nation from nation; the great duty, without a due sense of which *patriotism* is a word without a meaning, and the word *Country* itself means nothing but the dirt, and the grass, and the trees: is there not an end to this great law written in the hearts of all mankind?

Shall we be told that these *clearing* and transporting landlords have *no law* for what they do? Certainly we shall. But, where is the difference to the people, whether the government *permit* them to be at the mercy of a handful of persons called landlords; where is the difference to the people, whether they be thus transported *by law*, or *against law*; and, if impunity, complete impunity, be enjoyed by their oppressors? The law of allegiance, in the first place, affords quite sufficient ground for proceeding legally against any landlord who shall thus deal with the king's subjects, whom he thereby forcibly withdraws from their allegiance; for, anything so monstrous never has yet been heard of, as an attempt to maintain that a man thus *cleared off* the land of his birth, thus doomed to death or to expatriation; anything

so monstrous has not yet been heard of, as an attempt to maintain that such a man *still owes allegiance* to the country of his birth, out of which he has thus, without any offence by him committed against the laws, been ejected for ever on pain of starvation.

The law of allegiance is a law founded in reason, in nature, and in the necessity which every country has of it for the support of its independence; but there is a *condition* attached to this duty of allegiance; and now let us see what this condition is. BLACKSTONE (book I. ch. 10) says, "Allegiance is the tie or *ligamen*, which bids the subject to the king, in return for that *protection* which the king affords the "subject." Further on, in the same chapter, he describes the *grounds* of this allegiance more fully. "Natural allegiance is such as is due from all men "born within the king's dominions, immediately "upon *their birth*. For, immediately upon their "birth, they are under the *king's protection*; at a "time too, when (during *their infancy*) they are *incapable of protecting themselves*. Natural allegiance "is, therefore, a debt of *gratitude*; which cannot be "forfeited, cancelled, or altered by any change of "time, place, or circumstance." Thus says COKE; thus says FORTESCUE; thus says HALE; thus say all the lawyers: thus say PALEY, GROTIUS, PUFFENDORF: all the civilians, and all the fathers of the church: but, above all the rest, thus say the decisions of the courts of justice in England; thus say the condemnation and putting to death of hundreds, if not of thousands, of Englishmen.

This, then, is the law of the land; and very just is

this law. Fidelity to country is inculcated and commanded from one end of the Holy Scriptures to the other; but, is protection to the citizen or subject less imperatively commanded? Throughout the whole of our laws, and the laws of every civilized country throughout the world, *protection* is due to the party, as the foundation, and the only foundation, of this allegiance. If the state refuse protection, away goes all its claim to allegiance; away goes the debt of gratitude. And what protection do those receive who can, at the will of a landholder, or of any combination of landholders, be driven from their native country; men, women, children; babes at the breast: tottering old age; what *protection* is there, if these can be driven away by landlords, on pain of death from hunger or cold? It is very true that allegiance is due to the country and its sovereign. The law of God bids us be obedient to the law of the land; but it commands the rulers of the land to protect the people, and particularly the poorer and weaker part of the people: and our Saviour himself thus commands us, individually as well as collectively; and thus denounces those who shall—not turn the poor out to perish, but who shall *not take in the stranger*, and feed and comfort him, if he be poor: “Then shall he say unto them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels; for I was an hungered, and you gave me no meat; I was thirsty, and ye gave me no drink. I was a stranger, and ye took me not in; naked, and ye clothed me not; sick and in prison, and ye visited me not.” The reader knows

that this is a figurative passage, which applies not to our Saviour himself, but to poor people ; and, if this be the judgment on those who refuse food, and raiment, and shelter, to the *stranger*, what is to be the judgment on those who turn out the *natives* to perish with hunger and with cold ?

But, there is still another view to take of this matter ; of this duty of allegiance, as connected with other duties growing out of it ; such as compulsory military service ; such as compulsion to remain in the country (in obedience to the law) for *the good of the country*. These matters, however, will find a more suitable place in the next Letter ; and I shall conclude this present Letter with answering a question which the landlords always put in this case. They say, "What ! do you hold, then, that, if there be "people living on my land, or in my house, who "cannot, or who will not, pay me any rent ; do you "hold that I have no right to eject them, by due "course of law ?" I hold no such a thing : nothing that I have said upon the subject can bear any such construction ; but this I hold ; that no individual landlord, and that not all the landlords in the kingdom put together, has, or have, the right to eject the natives from the land, and to make them houseless, *without providing other houses for them to be in !* This is what I hold ; and it is what the laws of England hold ; and it is what the laws of God clearly hold, from one end of the Scriptures to the other. A destitute person is not merely to be relieved from the sufferings attendant upon hunger, and upon want of clothing ; but is to be relieved, also, from the

effects of a want of shelter and of lodging. This was the law, the undisputed law, until the ten-pounder Parliament met; and the great question now is, whether this law be to be abrogated.

If the landlords have a right, be the pretence what it may, to eject the natives from the land; if they have a right, taking the whole body of them together, to turn one single family out upon the bare ground, *without providing for them another place of abode*, then they have the RIGHT OF KILLING; and this, too, in the face of the law, which declares, that *constant protection*, from birth to death, is due from the state to every man, as the sole foundation of its claim to his allegiance.

LETTER VI.

CAN THE LANDLORDS RIGHTFULLY USE THE LANDS SO AS
TO CAUSE THE NATIVES TO PERISH OF HUNGER OR OF
COLD ?

MY FRIENDS,

If they can, then have the landlords the RIGHT TO KILL ; and the miserable people of England are placed upon a footing with the beasts of the field, and the fowls of the air. But, I am about to show, that this is not the case ; and that all law, human as well as divine, forbids the entertaining of so atrocious and ferocious a doctrine ; and to show also, that destitute persons, whether the destitution arise from want of ability to labour sufficiently to provide for themselves ; or whether it arise from the want of being able to obtain employment, with sufficient wages to provide subsistence, clothing and lodging, sufficient to the sustaining of life and health : I am about to show, that, in either of these cases, such destitute persons have as clear a right to demand relief of their wants, as any man has to the rents of his land ; or to the goods in his house. Indeed, it appears to me impossible that any person of clear

understanding can have read the foregoing Letters without coming to this conclusion ; but, the doctrines in those Letters have now to be applied to *practical purposes* ; and, therefore, I shall here enter into a full examination of the question, stated at the head of this Letter ; and prove that, according to natural justice ; according to the laws of God ; and according to the laws of England, this right to relief, in the cases above-mentioned, is an unalienable right in every man born in England.

It is something disgraceful to our days, that any measure should have been adopted, or talked of, which should have made the discussion of this question necessary ; but, such is the case ; and, therefore, discuss it we must. That there ought to be *no legal provision for the poor and destitute* ; that all such provision is *essentially bad* ; that such provision, *even for the aged and infirm*, ought not to be made ; and that even the *giving of alms to the wretched is an evil* ; these assertions of MALTHUS and BROUGHAM, and of Brougham's hirelings, might, if they had been confined to them, have passed with a mere exclamation of contemptuous horror ; but they have not been so confined ; they have been repeated by *hundreds of landlords* ; and, therefore, they demand a serious, and, at the same time, an indignant and scornful refutation.

NATURAL JUSTICE, without any law either of God or man, would dictate to those who possess the necessities of life, to give (if they have more than is absolutely necessary to supply their own wants) some portion of them to prevent others from perishing.

Even the animals, not human beings, take care of their young; for instance, those which give suck suffer every hardship rather than withhold the milk from their young ones: those which do not give suck, take care that the young ones are fed, before they feed themselves. A hen, which is become almost a skeleton from sitting, will come out in the morning with her chickens, hungry as it is possible for her to be: but not one morsel will she swallow till the chickens be satisfied. She will break the victuals for them, and, though half-famishing herself, will swallow none till they have got enough. And who has ever seen a labouring man, or his wife, not ready to endure, and frequently enduring, the torments of hunger, rather than suffer their children to want? I dare say it is the same in all the countries in the world; but I know it to be thus in every part of this kingdom, and this is what every one knows, who knows any thing of the people.

Thus far, then, natural justice would go; and it would go a great deal farther: it would extend to *neighbours*, as well as to relations: it would extend even to *the stranger*; and it always did so extend. Extreme poverty in certain cases is inseparable from the life of man: indeed, it is *necessary*, to excite emulation, and to create industry. If there were no extreme poverty in the world; if that poverty were *impossible* to be, the greatest of all the motives to industry, to care, to frugality, to the preserving of good moral character, to the attainment of skill, and even to the performance of deeds of valour; this greatest of all motives would be wanting; and man-

kind would be a low and worthless set of beings, compared to what they now are. Therefore, there must be extreme poverty in the world: it must exist; and, accordingly, the word of God tells us, that "the poor shall never cease from out of the land"; that is to say, that there always must be, and shall be poor people; that is, people in extreme poverty.

Amongst the innumerable commands of God, to take care of the poor, let us first take the 15th chapter of DEUTERONOMY, which is a sort of an abridgment of the whole of the law of God in this respect. I do not know that it is necessary to do any thing more than to take word for word the verses of this chapter, from the 7th to the 11th inclusive. "If
"there be among you a poor man of one of thy brethren, within any of thy gates, in thy land which the
"Lord thy God giveth thee, thou shalt not harden
"thy heart nor shut thine hand from thy poor
"brother: But thou shalt open thine hand wide unto
"him, and shalt surely lend him sufficient for his
"need, in that which he wanteth. Beware that there
"be not a thought in thy wicked heart, saying, The
"seventh year, the year of release is at hand: and
"thine eye be evil against thy poor brother, and thou
"givest him nought, and he cry unto the Lord against
"thee, and it be sin unto thee. Thou shalt surely
"give him, and thine heart shall not be grieved when
"thou givest unto him; because that for this thing
"the Lord thy God shall bless thee in all thy works,
"and in all that thou puttest thine hand unto. For
"the poor shall never cease out of the land: there-

“fore I command thee saying, Thou shalt open thine
“hand wide unto thy brother, to thy poor and to thy
“needy in thy land.”

We see that a *legal provision* was made for the poor by the law of God ; that the Levites were to have no share in the possession of the land : but that, in fact, a tenth part of all the produce of it was to be rendered to them for the purposes of religion, and for taking care of the destitute poor. Innumerable are the passages of the Scripture, containing the most dreadful denunciations on those who withhold relief from the poor ; who “turn them aside from their
“right.” In ISAIAH, 3. chapter : “The Lord shall
“enter into judgment with the ancients of his people,
“and the princes thereof ; for ye have eaten up the
“vineyard ; the spoil of the poor is in your houses.
“What mean ye that ye beat my people to pieces, and
“grind the faces of the poor ?” Again in chapter 10.
“Woe unto them that decree unrighteous decrees
“and that write grievousness which they have pre-
“scribed ; To turn aside the needy from judgment,
“and to take away the *right* from the poor of my
“people, that widows may be their prey, and that
“they may rob the fatherless.” It would be endless to cite passages of the Scriptures, enjoining on those who have the means to relieve the poor, the due performance of that duty. But, above all things, *not to oppress* them, and not to withhold from them their *right*. The dreadful sentence pronounced in the 20th chapter of JOB ; the most dreadful sentence, perhaps, that it is possible for words to pronounce, is as follows. It is a sentence pronounced on the rich man.

“Yet he shall perish, like his own dung: they
“which have seen him shall say, Where is he? He
“shall fly away as a dream, and shall not be found:
“yea, he shall be chased away as a vision of the night.
“The eye also which saw him shall see him no more:
“neither shall his place any more behold him. His
“children shall seek to please the poor, and his hands
“shall restore their goods. His bones are full of the
“sin of his youth, which shall lie down with him in
“the dust. Though wickedness be sweet in his
“mouth, though he hide it under his tongue; though
“he spare it, and forsake it not; but keep it still
“within his mouth: yet his meat in his bowels is
“turned, it is the gall of asps within him. He hath
“swallowed down riches, and he shall vomit them up
“again: God shall cast them out of his belly. He
“shall suck the poison of asps: the viper’s tongue
“shall slay him. He shall not see the rivers, the
“floods, the brooks of honey and butter. That which
“he laboured for, shall he restore, and shall not
“swallow it down; according to his substance shall
“the restitution be, and he shall not rejoice therein.”

And, what is all this for? The 19th verse tells
us; “*because he hath oppressed, and hath forsaken,*
“the poor: *because he hath violently taken away an*
“house which he builded not.” This is his great
offence, for this he is to suffer in the manner before
described. And, do we know no country where men
take away houses which they have not built, and from
which they turn the poor wretched inhabitants out
upon the bare ground? The manner in which the
poor are ill-treated is described in the 24th chapter of

JOB. Here we see how tyrant-landlords proceed, when the law does not intervene to prevent them. "They remove the land-marks; they violently take away flocks and feed thereof: they drive away the ass of the fatherless, they take the widow's ox for a pledge. They turn the needy out of the way: the poor of the earth hide themselves together. Behold, as wild asses in the desert go they forth to their work, rising betimes for a prey: the wilderness yieldeth food for them and for their children. They reap every one his corn in the field: and they gather the vintage of the wicked. They cause the naked to lodge without clothing, that they have no covering in the cold. They are wet with the showers of the mountains, and embrace the rock for the want of a shelter. They pluck the fatherless from the breast, and take a pledge of the poor. They cause him to go naked without clothing, and they take away the sheaf from the hungry."

Horrible as this is, do we know no part of the world; or rather, do we not well know one part of the Christian world, where these acts are committed; not where this is a figurative description of the acts committed; but where it is a literal description of that which is done to the poor; where this description could be taken, and applied to the very acts that you see taking place under your eyes? And, can we know this to be the case; and are we not to expect the fulfilment of the denunciations; and are we not to say with the prophet Amos, "*Shall not the land tremble for this?*" It must tremble: it does tremble; and the way to save it is, for us cordially to join, and

secure an atonement for acts like those which are described in this eloquent chapter of the Scripture.

It is impossible, without making a large volume, even barely to notice the divers passages in the Scripture, all having a tendency to this one point, the care of our poorer brethren; a just distribution of the good things of this world; and, at the same time, the punishments which are to fall upon nations, as well as upon individuals, if they neglect this duty; and, particularly, if, instead of cherishing the poor, they become oppressors of them. But, is there not, from one end to the other of the New Testament, line upon line, and precept upon precept, establishing this point, that, without charity, there is no *Christian* virtue in man; that all professions are false; that all faith, or belief, is worthless, if charity be absent? And, what is charity? To be sure, there may be charity in one's *thoughts*, in one's *wishes*, in one's *opinions* of one's neighbour; but, by charity, in the common acceptation of the word, as used in the Gospels and the Epistles, is meant, feeding the hungry, clothing the naked, sheltering the houseless; and such was, from the very beginning, the principle which pervaded the precepts and the conduct of the followers of JESUS CHRIST; who found, that unequal distribution of goods, which must always exist in civil society; who found instances of that extreme want, which must always prevail to some extent or other; and they, following the precepts of their divine Master, put forward the care of the poor and destitute as the *first* of Christian virtues.

A provision for the relief of the poor was begun

to be made by the APOSTLES themselves. They collected alms; they received oblations; and they immediately began, in fact, establishments for providing a certainty of relief for the poor. The order of DEACONS was created for giving effect to these their intentions. It was the business of this order of men to attend to the relieving of the poor; and, as the church of CHRIST extended itself over the world, it everywhere took care to make effectual provision for the wants of the destitute. Here in England, the Common law of the land came in aid of the laws of the church. Both together took care, that all the wants of the poor should be provided for. All the numerous religious establishments, abbeys, priories, friaries, nunneries, hospitals, and even the parish churches themselves, were founded in the name of, and dedicated to, "*the service of God, and the care of the poor*"; and I defy all the MALTHUSES and BROUGHAMS upon the face of the earth to deny this fact. It is of importance, however, to establish, beyond all contradiction, the right which the poor thus acquired and enjoyed.

We have seen, in the foregoing letters, what is the nature of the right which the landlords have to the land; we have seen in what manner they came in possession of them; we have seen the nature of their title; we have seen, that no man has an *absolute* right to any land; we have seen that every man holds his land on certain conditions, and on the consideration of the performance of certain services to the State. Well, now, let us see whether the lands be not charged with the duty of making certain and infallible provision for the poor.

Long before the Norman conquest all the lands were charged with tithes, out of which tithes the law required that the poor should be relieved; and thus stood the law, when the Norman Conqueror came, and made a new and settled distribution of the lands. The law and the practice of England gave a third part of all the tithes to the poor; and gave them also a very large part of the rents of the lands belonging to the monasteries or religious houses. There were then no *moduses*; that is to say, no giving of a trifling sum, instead of the tithes of a parish; there were then no exemptions from the payment of tithes; mills; the tolls of markets; all underwoods; even trades, in certain cases, yielded tithes; so that the amount of the tithes, in proportion to the whole produce of the country, was very great; and hence rose up all the magnificent cathedrals and churches, while the poorer part of the people were taken excellent care of.

In this state of things the NORMAN CONQUEROR came; established the feudal system; made a new distribution of the lands; or, *granted them* to their then possessors. But, he made no change with regard to tithes; he left all the lands charged with tithes; the right of the poor still remained; and never was it questioned; no man ever dreamed of questioning it, until the days which afflicted this kingdom with the writings of the hard-hearted MALTHUS, and his merciless followers; who, not seeming to recollect at all MOSES, the PROPHETS, our SAVIOUR, the APOSTLES, and the laws of our own land, have now the audacity to tell us, that a *legal and cer-*

tain provision for the poor is a bad thing; that the means of protecting the aged and infirm is *mischievous*; and that, even hospitals, charitable donations, and the giving of alms, are *injurious to a nation*; and at the head of these disciples is that HENRY BROUGHAM, whom the King has lately dismissed from his councils and presence; who has recently begged to be a judge, after having been a Lord Chancellor; who is now sending silly crawling letters from France; and whose fate one cannot think of, without calling to mind the denunciations of Holy Writ.

The right of the poor still remained. The land, when newly granted out by the Conqueror, still remained charged with tithes; and, if tithes were now exacted to the extent to which they were exacted at that time, a third part of them, which third part was you will observe the patrimony of the poor, would amount to three times the sum, and more than three times the sum, which is now annually expended on the relief of the poor. It follows, then, of course, that those who hold the lands now, hold them upon condition of giving out of them a sufficiency for the relief of the poor; and that, therefore, they cannot, legally, so use their lands as to cause the natives to perish of hunger or of cold. The law and practice of England, in this respect, continued to be the same from the Norman conquest down to what is called the REFORMATION, when the PROTESTANT RELIGION was substituted for that of the CATHOLIC; and here there is something very material for us to notice; because this prescriptive right is

now denied by those who would, as they call it, throw the poor upon their "*own resources*"; of which throwing on their *own resources* I shall speak more fully by-and-by. Long before the REFORMATION, even the STATUTE-LAW came in aid of the Canon, and of the Common law, in support of this right of the poor; and this intervention of the Statute-law became necessary, in consequence of the circumstances which I am now about to state, and to which I beg you, the working people of England, to pay particular attention.

BARON GILBERT, in his "*Law of the Common Pleas*," describes the *Catholic distribution* of tithes in the following words:—"The revenues of the church, "consisting of various descriptions of tithes, were "divided thus: one third part was taken by the "priest, as his own; another third part was applied "to the relief of the poor; and the other third part "to the building and repairing of the church." Now, is there any one who has ever been worthy of the name of *lawyer*, who will deny that this book which I have quoted is a book of unquestionable authority with all lawyers and all judges? I, therefore, assert, and have thus proved, that such was the law of the church, and the Common law of the land.

But, the statute-law comes to confirm this; comes incidentally, but comes with force irresistible. After the monasteries grew up and had so much power in England, innumerable patrons of livings gave the advowsons to the monasteries, instead of keeping them in their own hands, or leaving them to their heirs. The monasteries, become owners of the ad-

vowsons, did not, in many cases, give the livings to parish priests ; but sent some one of their own order into each of the livings to perform the duty, leaving him the small tithes, and taking the great tithes to themselves. The priest thus sent by the monasteries was called a *vicar*, from the Latin word *vicarius*, which means a person deputed, or delegated, to act in the place of another : and from this came the vicarages in England.

In consequence of the above-described application of the tithes, it frequently happened that the monasteries took away the great tithes, and did not leave the vicar enough for his own sustenance, the repairing of the church, and the relieving of the poor. In consequence of this, an act was passed, in the 15. of Richard II., to compel the monasteries to leave a sufficiency for the relief of the poor, “ in aid “ of their living and sustenance for ever.” I will quote the whole act, which is quite complete.

“ ITEM, Because divers damages and hinderances
“ often times have happened, and daily do happen, to
“ the parishioners of divers places, it is agreed and
“ assented, That in every license from henceforth to
“ be made in the Chancery, of the appropriation of
“ any parish church, it shall be expressly contained
“ and comprised, that the diocesan of the place,
“ upon the appropriation of such churches, shall
“ ordain, according to the value of such churches,
“ *a convenient sum of money to be paid and distributed*
“ *yearly, of the fruits and profits of the same churches by*
“ *those that shall have the said churches in proper use,*
“ *and by their successors,* TO THE POOR PARISHIONERS OF

.

“THE SAID CHURCHES, IN AID OF THEIR LIVING AND
“SUSTENANCE FOR EVER; and also that the *vicar be*
“*well and sufficiently endowed.*”

Thus stood the matter until the REFORMATION; another Act having been passed in the reign of HENRY THE FOURTH, to enforce the Act just quoted. The REFORMATION took away the great tithes, as well as the rents, from the monasteries, and gave them to the king, who gave them to individuals; but no Act of Parliament which was passed at that time, and no Act of Parliament that has ever been passed since, until the “Poor-law Amendment Bill” was passed, has ever taken away, or in any degree enfeebled, the right of the poor, as recognised by all the laws which subsisted, and were in full force, up to that time; and the Act of RICHARD the Second is *law unto this day*. But the change of religion, and the transfer of the tithes, and of the estates of the monasteries, caused the tithe-owners, and the new abbey-land-holders to neglect this sacred part of their duty, the relieving of the poor. They cast aside this duty by degrees; the people complained of this robbery committed upon them; and, after numerous vain attempts to induce the tithe-owners and the abbey-landlords to do their duty towards the poor, an Act of Parliament was passed in the 43rd of ELIZABETH, providing effectually for their relief, by parochial rates, and by the appointment of overseers to superintend the collection and distribution of those rates; and this law continued in force; and a happy and kind people lived under it for nearly two hundred years, till a “reformed Parliament” met; till there

was an ALTHORP to bring the Poor-law Amendment Bill into the House of Commons, and a BROUGHAM to bring it into the House of Lords.

You will perceive that this Act of ELIZABETH provided no *gift* to the poor : it only gave them in another shape, that which the Christian religion, and the law of the land, had given them before : it only exacted from the land that which the land was charged with, at the time of the Norman conquest; and which, indeed, it had always been charged with, from the time that England was first called England. The *poor-rates* were no more than a *compensation* for what had been withheld from the people by the injustice of the Protestant clergy and the landlords : it was only giving them, under another name, under another form, and in another manner, that which they had before received out of the tithes, and out of the rents of the Abbey-lands, and to which they had a much older and a much clearer title, than any man had, or has, to his landed estate.

Thus, then, according to the principles of natural justice, according to the practice of men, in a state of nature, and without any law whatever, either of God or of man, to guide them ; according to the express and incessantly reiterated commands of God, in both the Testaments ; and according to the laws of England, Canon-law, Common-law, Statute-law, laws made by Protestants, as well as laws made by Catholics, a right to relief in the destitute is acknowledged ; universally acknowledged ; the practice upon this principle has been unvarying ; and our Poor-law has really and truly been the glory of the country

and the admiration of the world. The Americans, when they made their revolution, though they cast off the *kingly* part of our government, though they cast off the *aristocratical* part of it; though they cast off the *Church* part of it, took special care to preserve *this* part of it. Let, then, the hard-hearted wretches, who would now abrogate it in England, put forward at the same time, their pretensions to a *love of liberty*; and let the names of the merciless hypocrites stand accursed in our calendar.

But, is this all, that is to be said in defence of this right of the poor, and in denial of the right of the landlords, so to use their lands as to cause the natives to perish of hunger, or of cold? Oh, no! There is a great deal more to be said than this. We have yet to hear what great and wise men, regarded as authorities by all the world, have to say upon this subject; and amongst others, our own great lawyer, BLACKSTONE; Dr. PALEY, an archdeacon of the church; HALE, one of the greatest lawyers that ever lived, and one of the most just of judges; MONTESQUIEU, a very great authority; LOCKE, cited everlastingly for his sound doctrines on government. I shall have afterwards to show you, that, if the principles, upon which the "Poor-Law Amendment Bill" has been defended, were sound (as they are not), there would be no good title to any property, of any species, in the kingdom; and that the law of allegiance would be something worse than an absurdity. But, I will first refer to the authorities before mentioned. BLACKSTONE (book I. chap. 1) says, "The law not only regards life and member, and protects every man

“in the enjoyment of them ; but also furnishes him
“with everything necessary for their support. For
“there is no man so indigent or wretched, but he
“may demand a supply sufficient for all the necessities of life from the more opulent part of the community, by means of the several statutes enacted
“for the relief of the poor: a humane provision,
“dictated by the principles of society.”

HALE (*“Pleas of the Crown,”* chap. 9), says that,
“the laws of this kingdom make sufficient provision
“for the supply of persons in necessity, by collections
“for the poor, and by the powers of the civil magistrates, and that the Act of ELIZABETH has reduced
“charity to a system, and *interwoven it with our very*
“*constitution.*” It follows, of course, that, if you abrogate this law, you abrogate the constitution altogether. It is useless to attempt to blink this, by saying that you do not meddle with this law of ELIZABETH; for, if you take the power of relieving out of the hands of the overseer; or if you cause him to be a person hired and brought from a distance; if you do these things, you do abrogate the Act: and this is only a small part of what is done by the Poor-Law Amendment Bill.

Dr. PALEY, in his *“Moral Philosophy,”* a book of very great authority, has the following passage, which you will find in perfect accordance with all the principles laid down in this, and in the foregoing Letters.
“The poor have a claim founded in the law of nature,
“which may be thus explained:—All things were
“originally common. No one being able to produce a charter from heaven, had any better title

“to a particular possession than his next neighbour. “There are reasons for mankind agreeing upon a “separation of this common fund: God, for these “reasons, is presumed to have ratified it. But this “separation was made and consented to, upon the “expectation and condition that every one should “have left a sufficiency for his subsistence, or the “means of procuring it; and as no fixed laws for the “regulations of property can be so contrived as to “provide for the relief of every case of distress “which may arise, these cases and distresses, when “their right and share in the common stock was “given up or taken from them, were supposed to be “left to the voluntary bounty of those who might be “acquainted with the exigencies of their situation, “and in the way of affording assistance; and, therefore, when the partition of property is rigidly maintained against the claims of indigence and distress, “it is maintained in opposition to the intention of “those who made it, and to his, who is the supreme “Proprietor of everything; and who has filled the “world with plenteousness for the sustentation and “comfort of all whom he sends into it.”——

Nothing can be more just and reasonable than this; and it must be a monster, or something next to a monster, to call its reasonableness in question. Mr. BUTLER BRYAN, who, in his “*Practical View of Ireland*,” after making this quotation from PALEY, observes, “that the right of the poor to support, and “the right of the rich to engross, are co-relative, and “reciprocal privileges; the former being the condition on which the latter is enjoyed;” than which

nothing can be truer, nothing more evident to any but a corrupted and merciless mind.

MONTESQUIEU gives excellent reasons. After stating that a man ought not to be called *poor*, merely because he has neither land, nor house, nor goods; that his labour is property; that it is better than an annuity; that the mechanic who gives his art to his children has left them a fortune, and a better fortune than a few acres of land divided amongst them: after having thus premised; and further stated that a government draws its support from the labour of the people, he comes home to the question before us, and says, "The *state* is bound to supply the necessities of the aged, the sick, and the orphan. Those *alms*, which are given to a naked man in the streets, do not fulfil the *obligations of the state*, which owes to every citizen a certain subsistence. The riches of a state arise from the labour of the people. Amidst the numerous branches of trade it is impossible but some must suffer; and, consequently, the mechanics must be in a momentary necessity. Therefore, the state owes to every citizen a proper nourishment, convenient clothing, and a kind of life not incompatible with health."

It must be a monster in human shape, to deny the justice and reasonableness of this; and it was reserved for the monster MALTHUS, to suggest to English landlords the setting of all these authorities at defiance. But, we may be told, perhaps, that the poor-law *amendment* bill does not deny relief *altogether*. Yes; but it enables the Government arbitrarily to prescribe *such conditions*, as to make it

impossible that a man should not suffer death by starvation, rather than accept of any relief so tendered him; it tenders him relief upon such terms, that he must become the vilest of slaves before he can obtain it. And, now, let us hear Mr. LOCKE upon this subject, and upon the subject of *the right of the landlords, so to use their lands as to cause the nations to perish of hunger or of cold.* "We know that "God has not left one man so to the mercy of "another, that he may starve him, if he please. God, "the Lord and Father of all, has given no one of his "children such a property in his peculiar portion of "the things of this world, but that he has given his "needy brother a right to the surplusage of his "goods; so that it cannot justly be denied him, when "his pressing wants call for it; and, therefore, no "man could ever have a just power over the life of "another by right of property in land or possessions; "since it would always be a sin in any man of estate, "to let his brother perish for want of affording him "relief out of his plenty. As *justice* gives every man "a title to the product of his honest industry, and "the fair acquisitions of his ancestors descended to "him; so *charity* gives every man a title to so much "out of another's plenty as will keep him from "extreme want, where he has no means to subsist "otherwise: and a man can no more make use of "another's necessity to force him to become his "vassal, by withholding that relief which God "requires him to afford to the wants of his brother, "than he that has more strength can seize upon "a weaker, master him to his obedience, and,

"with a dagger at his throat offer him *death* or "*slavery*."

Thus, then, if the Government give power to Commissioners, to make it as "IRKSOME" as possible to the destitute to obtain relief: if it be not to be obtained without close imprisonment in a workhouse, at a great distance from the house of the poor person; if the necessitous man be compelled to submit to wear a workhouse-dress; if he be wholly separated from his wife, night and day; if their children be wholly separated from them both; if they be cut off from all communication of every sort with friends outside of the prison; if no one can possibly come to claim their bodies, if they should die; and if, in case of death, a hired overseer, brought from a distance, have the power to dispose of their bodies for dissection; if all this be so, have we not before us the very case, which Mr. LOCKE supposes; have we not before us that which amounts to offering a man *death* or *slavery*?

I could go on citing authorities, but it is wholly unnecessary. And, I shall now come to what is the main thing of all; that is to say, to show, that, if you maintain that the poor have *no right*, no *legal* right, to relief, you loosen all the ligaments of property; and begin that career, which must end in a contest for property, between the poor and the rich; you loosen all the bonds of allegiance; you get rid of all its duties; you proclaim that *might*, and not *right*, is to prevail; and, in short, you do all in your power to break up the social compact; to produce confusion; and to leave to chance a settlement anew.

We have seen in the foregoing Letters, that the duty of allegiance implies the reciprocal duty of protection ; and we have now seen, that it is the duty of a state to give protection to all the citizens, or persons, living under it, and owing it allegiance. Not only protection against violences committed against the property, or the person of a man ; not only protection against assaults, arsons, and robberies ; but against hunger, nakedness, and all those things which expose life and limb to danger. This protection is a condition inseparable from the duty of allegiance ; and, if the condition be not observed, the bond in this, as in all other cases, is forfeited. When a man commits treason, or rebellion, his crime consists, not in the act itself ; but in this, that the act is contrary to his bond of allegiance. Protection is essential to the force of that bond ; and, therefore, how ought men to tremble at the idea ; how fearful ought to be the thought, in the mind of a statesman in particular, of suffering landlords so to act, as to take away this protection !

The laws of this country have, for several hundreds of years, and, indeed, always, given to the king, as chief magistrate of the nation, the power to forbid, at his pleasure, any one, or more, of his subjects to quit the kingdom ; and, at his pleasure, to order any one, or more, of them, who happen to be abroad, to return into the kingdom ; and this, too, upon pain of fine and imprisonment in case of disobedience. The same thing has been frequently done by act of parliament ; and such an act was in force a very little while ago ; and may be in force again, whenever

the king and parliament shall please. It was in force in 1817; and I, being on board of ship, at LIVERPOOL, going to America, saw two ARTIFICERS dragged out from under some sails where they had hidden themselves, brought on shore, and compelled to remain on shore.

Now this is very old law. It existed in the time of EDWARD the First; and the ground of it was that such artificers might "instruct and assist "foreigners to rival us in our several trades and " manufactures." This law continued unbroken down to the time of EDWARD the Third; in the next reign there was an exception made in favour of lords and other great men, and great merchants. In the reign of JAMES the First this act was repealed; and I find no renewal of it till the reign of GEORGE the Third. It was repealed again in the reign of GEORGE the Fourth, but may be re-enacted again any day. But, what an unjust, what a barbarous, what a tyrannical, what an infamous law is this, and how well do all those epithets apply to the power which the king has, if we, with the monster MALTHUS, and his disciples, contend that the destitute have no legal right to relief from the community!

Look, if you have patience, at the possible, and even probable, condition of every English artificer, if you deprive him of this *legal right to relief*! He cannot earn a sufficiency to maintain his family in England. He comes to you, and demands assistance to preserve the life and health of himself and family. You *refuse* him; or you offer it him on condition that he wear the workhouse dress, be separated from wife

and children, be cut off from friends and relatives, with chance of the bodies of all the family being disposed of for dissection. Thus placed between starvation and the most base of all slavery; and knowing, not only that he can earn, in America, sufficient wages to keep his family; but that, if he there chance to fall into similar want that has come upon him in England, the law will give him and his family support, leaving them at liberty at the same time, and leaving them to inter the bodies of one another, if they die; or giving them the assurance that those bodies will have decent Christian burial, and will not be disposed of for dissection. Thus placed, the English artificer sells his little all, begs the remainder from his friends, or from charitable persons, and gets on board of ship in order to get out of the reach of STURGES BOURNE, two thousand-a-year LEWIS, and penny-a-line CHADWICK. Your officers at the port seize him; and bring him back to the land; cast him down upon it, and there leave him!

Why, the bare thought fills one with indignation approaching to fury! What is a government to expect, when it places before the working people conditions like these, of being suffered to live? What is the ground upon which the artificer is forcibly detained in the kingdom? Why, that, by going out of it, he communicates to other nations the art which he has learned in it, and thereby does an *injury* to his native country. Upon the same ground every one is forbidden to go to an enemy's country during war. These grounds are tenable, if you make legal pro-

vision, according to the doctrine of MONTESQUIEU, "that the State owes to every citizen a proper nourishment, convenient clothing, and a kind of life not "incompatible with health." But, if you deny this nourishment in case of need, if you make no legal provision for the supplying of it, you exercise the most hateful of tyranny in insisting on the right of the State to retain a man in his native country.

Thus, away goes another part of the social compact: away goes another of the ligaments of civil society. And, does not the *duty of defending one's country in arms* go away also? The king, or chief of the commonwealth, has an undoubted right to call out all the people capable of bearing arms to defend the country; or to defend himself and the laws, in the case of internal commotion; whether he do this by his other officers, or by the sheriffs, or magistrates. To refuse to come forth is a crime punishable by law; and it is so upon the ground, that the *State yields protection* to every man; not only secures to him the enjoyment of life and limb, but secures to him, in case of his necessity, a sufficiency of food and raiment and lodging, compatible not only with life but with health; and these things it provides for him, on the ground, as BLACKSTONE states it, that the provision is founded in the principle of civil society; to which ground also it is traced by all the other great authorities before cited. But, will you exact this duty from the working man, and deny him that protection which is the foundation of the duty? Will you be guilty of the monstrous tyranny to punish a man as a traitor, or a deserter, because he refuses to risk his

life in upholding a state of things, which, in case of extreme poverty, leaves him no choice but that of *death*, or *slavery*; and that, too, a slavery worse than death!

We have seen, in Letter II., that service in arms, for defence of the king and the commonwealth, was due from the *landed estates*; and that, when the king called upon them for the purpose, it was the duty of the landlords to come out in arms themselves, and to bring out their tenants, at their own expense. This was perfectly just, because they held the lands on this condition. We have seen, in the same Letter II., how CROMWELL and his crew released the landlords from this duty. But, there was military force occasionally still necessary; and, by degrees, this duty has been wholly shaken off by the landlords, and *cast entirely upon the working people*; shifted from the *land*, and laid upon the *labour*.

However, the duty of rendering this service to the State must now rest upon the militia-man's claim, in case of need, to share in the fruits of the land; for, if that ground be wanting, how are we to denominate the act of compelling him to perform such duty, on pain of suffering *flogging*, or *death*? What! tell him, in the words of MALTHUS and BROUGHAM (for BROUGHAM applauds all the sentiments of MALTHUS); tell him, that he has, in case of his utmost extremity, "no claim upon the community for even the smallest portion of food;" and tell him, the next moment, that it is his duty to come forth and venture his life in defence of that community: tell him, that *he has no claim whatsoever on the fruits of the land*,

even to save his life ; and tell him, the next minute, that it is his duty to hazard that life in defence of that land !

Why, words are useless in such a case : the bare pronouncing of them makes the blood fry in one's veins : vengeful feelings rush forward and choke the voice of indignant abhorrence.

Away then goes another tie : another great duty enjoined by the laws. Nor are we to stop here. You insist that the working man is rightfully called upon to pay TAXES. And you now, at this time, take from a working man *eleven pounds seven shillings and sevenpence* a year, out of *twenty-two pounds ten shillings*, as is very clearly proved in the "*Agricultural and Industrial Magazine*," published and circulated under the authority of *twenty-one members of parliament*, all of whom, except two or three, are great landlords. Upon what *ground*, then, do these members of parliament suffer the working man thus to be taxed ? Why, that he, as well as they, stands in need of the State to secure him in the enjoyment of whatever he may possess or may earn. He has no possessions but those of life and limb, which no conqueror, no usurper, no rebel, ever did, or ever will, think of taking away from him. Oh, yes ! he has the further possession of a right to demand of the State, in case of necessity, a sufficiency to support this life and limb, by affording him every thing necessary and convenient to the maintenance of health as well as life. This is the *ground* upon which you tax him ; and what becomes of this ground, if, in case of his hard necessity, you tender him "*a coarser sort of*

diet," a workhouse dress, a cutting off from wife, children, and friends, and a dissection of his body at death; if, in short, your protection amounts, as Mr. LOCKE calls it, to an offer of death or slavery? And, thus away goes another of the duties of the subject or the citizen.

We now approach the most dangerous of all the consequences of denying the RIGHT of relief to the indigent; namely, that of letting indigent persons loose *to help themselves to what they want*; and here we come to derive profit from all that we have hitherto seen in this little book, relative to the origin of property; the title to property; the extent of the uses of property; and the right to prevent others from participating, if they choose, in the enjoyment of any property that we may hold.

The hard-hearted and blasphemous wretches who deny the right of the poor; who, with the brutal and *pensioned* Parson MALTHUS, would tell the destitute working man, that "*he has no claim upon the community for even the smallest portion of food*"; these wretches say, that the poor working people ought to be "*thrown on their own resources*"; a phrase everlastingly in their mouths. When I made a motion for throwing the *pensioned* relations of lords, baronets and 'squires, upon *their own resources*, instead of taxing the working people to support them; when I did this, the "*reformed* House of Commons negatived my motion by *twenty to one*."

But, what is meant by their *own resources*? Do you throw them on their *own resources*, when you prevent them from quitting the kingdom to better

their lot ? Do you throw them upon their *own resources* when you compel them to come out and serve in the militia to defend the land or the king ; to quit their employments ; to leave behind them their aged parents, and their helpless children and wives ; and to risk their lives into the bargain ? Do you throw them upon their *own resources* when you take from each working man taxes to the amount of one half of his earnings, to be given to what you call the support of the state ; when you lay this burden upon the child in the cradle for his life, and for the lives of his children, to pay the interest of debts, contracted long before the present working man himself was born ? Do you call this “ *throwing a working man upon his own resources* ? ”

This is a most dangerous saying : it leads directly to the most dangerous of consequences : it sends the minds of men back to the state of nature ; to discuss all the principles of natural justice ; and to arrive at last at a conclusion which leaves the word *property* (the rights of which ought to be held sacred next after that of life and limb) a word without meaning ! This is the matter most worthy of the attention of legislators ; and it comes at last to this short proposition : “ that a man, in a state of “ extreme necessity, has a *right to use another's property*, when it is necessary for his own preservation “ to do so ; a *right to take, without or against the owner's leave*, the first food, clothes, or shelter, he “ meets with, when he' is in danger of perishing “ in want of them.” I take these words from Dr. PALEY, an archdeacon of the church of England.

With Dr. PALEY all the authorities agree: GROTIUS, PUFFENDORF; and all the great civilians of other countries; all the Fathers of the church; all the great lawyers of our own country, from the time of EDWARD the First, down to the present hour: and it appears, that consonant with this, was the law of the ancient Britons, even before Christianity was known in this land. I shall content myself with the words of Lord BACON, the great pride of English learning and of English law. His words, in his Law Tracts, are these (page 55): "The law chargeth no man with default where the act is compulsory and not voluntary, and where there is not consent and election; and, therefore, if either there be an impossibility for a man to do otherwise, or so great a perturbation of the judgment and the reason as in presumption of law man's nature cannot overcome, such necessity carrieth a privilege in itself. Necessity is of three sorts: necessity of conservation in life, necessity of obedience, and necessity of the act of God, or of a stranger:—First, of conservation of life; *if a man steal viands (victuals) to satisfy his present hunger, this is no felony nor larceny.*"

NOYES, in his *Maxims of English Law*," says the same thing: all the great lawyers, of whatever political character, or opinions, or conduct, are in perfect accordant as to this matter. BLACKSTONE and HALL insist, that the taking of another man's property, *never* can be defended, in England, upon the plea of necessity. But, on what ground do they say this? "Because charity is here, in England, reduced to a system, and *interwoven in our very con-*

"stitution, by the *several statutes* made for the relief of the poor. THEREFORE, our laws ought by no means to be taxed with being *unmerciful*, for denying this privilege to the necessitous."

But, what follows, if you *abrogate* these statutes? If you pass an act, as is recommended by MALTHUS, to refuse the suffering creature "even the smallest portion of food"; if you hold with BROUGHAM, that a legal provision, even for the aged and destitute, is bad; if you, in the words of Mr. LOCKE, tender the necessitous man, "death or slavery"; if you assert that the landlords have a right so to use their lands, as to cause the natives to perish of hunger, or of cold: if you do these things, then, BLACKSTONE and HALE not only concede this dangerous right; not only agree with all the rest of the authorities, but give a practical confirmation of their doctrines.

"Throw them on *their own resources*," indeed! Their own resources are *their time* for their own use; their *untaxed* earnings; their *eyes*, to see where the things are that they want; their *legs*, to carry them within reach of those things; their *hands*, to take them; their *teeth*, to eat them; their *heads* and *backs* and *feet*, to wear them; and their *hearts* and *arms* to punish those who would hinder them in the free use of these their "*own resources*." These are the "*own resources*" of poor persons, if the laws of the community cast them off, and refer them back to that *law of nature*, which the stupid as well as hard-hearted MALTHUS says, has "*doomed them to starve*." No, monster: that law has doomed them to increase and multiply, to live on the fruits of the earth; and

the law of God, in the words of St. PAUL to TIMOTHY (c. 2, ver. 6), has declared, that "the husbandman that laboureth must be *first* partaker of the fruits;" that law has commanded, that "the hungry shall be fed, the naked clothed, and the houseless taken in"; and with this law the law of England is in perfect accordance: for, as is most just, the land is to pay *poor-rates* before it pay *rent*; because the *labour* goes before the *crop*; and the labourer is to be *sheltered*, let who else may go without covering. And what can be more just; seeing, that without his labour, there could be no covering for anybody? And, as you do not, when *inability* to work, or *want of work*, renders the horse useless to you, for a while; as you do not, in such a case, leave the animal to die of hunger, or turn him out to perish of cold; as you give *him*, though not at work, comfort and sustenance; who, that is not a hard-hearted brute, will deny that comfort and sustenance are, in such a case, due to the labourer? And, as to the "AGED AND "INFIRM," for whom BROUGHAM says that *no legal provision ought to be made*, the natural winding up of the savage creed is, that they ought to be disposed of *as aged horses are*; sending the former to the human cutters-up, as the latter are sent to the dogs!

There remains but one pretence for those who deny the rights of the labourer; and that is the plea of necessity; and this brings us round to the very point at which we started: namely, the assertion, that if the rights of the poor be recognised, *the estates will be swallowed up*. How swallowed up? not by an earthquake: the ground will still remain where

it is, and the houses will stand where they are. No, but there will be *no rents* to give the landlord. Aye, there is sense in this. But without the labourer the land is nothing worth. Without his labour there can be no tillage, no inclosure of fields, no tending of flocks, no breeding of animals, and a farm is worth no more than an equal number of acres of the sea, or of the air. It is the labour that causes the rents. Therefore the labouring people, whether in sickness or in health, are to have the first maintenance out of the land. Tell me not, that the farmer is *unable* to yield to the labourers their rights. In the very nature of things he must have ability to provide them with a sufficiency; because his land produces ten times as much as they can consume; and there are the nine-tenths for the landlord, the parson, and the farmer, to divide amongst them. So that this is a pretence flagrantly false.

Yes; but the *government*, by the great sums that it requires to pay the debts that it has contracted, to support its pensioners of various sorts, and by the raising of the value of the money, wherein to pay its debts, comes and takes away a very large part of the nine-tenths. This may be true; but this is no ground for depriving the labourer of his share, especially as you refuse to him the giving of his vote in the choosing of those who make the laws, who contract the debts, and regulate the expenditure. This is a matter with which the labourer has nothing to do. This taking away, on the part of the government, is *right*; or it is *wrong*. If *right*, why complain: and if *wrong*, why not resist? Resistance would

be unlawful": in God's name, then, submit to it quietly.

It *may* be right for the government to take away all the rents; and if so, the government only *resumes* that which it *granted*; but it cannot be right for the government to take away the fruit of the labourer; for, *it never granted the labour*. A nation may exist without landlords; but, without labourers, not only its political, but its physical, existence is impossible; and therefore it is that the Apostle says, that "The husbandman that laboureth must be the *first* partaker of the fruits." "Muzzle not the ox," says MOSES, by the command of God, as he "treadeth out the corn"; and St. PAUL, in adverting to this command (1 Corinth. ch. 6. ver. 9), "Doth God take care for oxen? Or saith he it altogether for our sakes? For our sakes no doubt this is written: that he that plougheth should plough in hope; and that he that thrasheth in hope should be partaker of his hope." God forbids the owner of the harvest to glean his fields, his olive groves, and his vineyards; but commands him to leave the gleanings to the poor: thus giving a share, even to those who may not have laboured at all: and the righteous laws of our own country are in conformity with this law of God, giving the poor as perfect a right to glean, as they give to the farmer his right to the crop. Well, then, what is the conclusion to which we come at last? Why, that the labourers have a right to subsistence out of the land, in all cases of inability to labour; that all those who are able to labour have a right to subsistence out of the land, in exchange for their labour; and that, if the holders of the land will

not give them subsistence, in exchange for their labour, they have a right to the land itself. Thus we come to the conclusion, that, if these new, inhuman and diabolical doctrines were acted upon, instead of giving that "*security to property*," which is their pretence, there would be an end of all respect for, and of all right to property of every description !

Oh, no ! my friends, the working people of England ! Let us resolve to hold fast to the laws of God, and the laws of England ; let us continue to hold theft and robbery in abhorrence ; let us continue to look upon the property of our neighbour as something which we ought not even to covet, and as, next after life and limb, the thing most sacred on earth ; but, let us, at the same time, perish, rather than acknowledge, that the holders of the lands have a right so to use them, as to cause the natives to perish of hunger, or of cold.

THE END.

